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**EASTERN INTERIOR ALASKA
SUBSISTENCE REGIONAL ADVISORY COUNCIL**

**VOLUME III
PUBLIC MEETING**
March 3rd, 1995
Community Center
9:00 o'clock a.m.
Northway, Alaska

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COUNCIL MEMBERS PRESENT:

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**LEE TITUS, CHAIRMAN
JEFF ROACH, SECRETARY
CHARLIE TITUS, JR., MEMBER
JOHN A. STARR, MEMBER
RANDY MAYO, MEMBER
SELINA PETRUSKA, SR., MEMBER
CHARLES MILLER, SR., MEMBER**

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Vince Mathews, Coordinator

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PROCEEDINGS

(On record; 9:00 a.m.)

MR. LEE TITUS: We're at the New Business on the agenda, Federal, State, and other resource managing agency reports. The first one we're going to start off with is the National Park Service.

MR. JAY WELLS: Good morning, Mr. Chairman, and members. My name is Jay Wells with Wrangell-St. Elias National Park. I'm the chief ranger and also the subsistence coordinator. And then we have, let's see, Denali National Park and Yukon- Charlie, and that's it, isn't? Yeah, and they'll probably come up after me. But my report will be very brief. The body of what we wanted to talk about, Bill Route, who you met yesterday who is one of our biologists, gave the Mentasta Plan. My role in the Park is that of chief ranger and subsistence coordinator. I think most of you met John Jarvis yesterday, our superintendent who is relatively new here. He's been here about three or four months. And also came with me the last couple days is Sean McGuinness, who is our Nebesna District range and lives in Slana, and it'd be nice if Sean and you folks were able to get together, and if you have questions about this area, Sean is probably the one that you'd be dealing with mostly.

In terms of new issues, there haven't been really very many issues, other than the C&T Process that you debated at length yesterday and we've been following that as well. The Subsistence Resource Commission for the Park hasn't met since last April and I doubt if they'll meet this spring; probably a fall meeting. They made a proposal last summer about six months ago to our regional director in Anchorage concerning a resident zone boundary proposal for Wrangell St. Elias National Park, and they're still awaiting a response from our regional director on that. So, until that response has been formulated, we probably won't have a Subsistence Resource Commission meeting. And, as you know, your regional council does make one nomination to that Subsistence Resource Commission, and that has been Frank Entsminger, who is the Chairman of the Upper Tanana Local Advisory Committee.

Wrangell St. Elias National Park and Preserve actually extends from the Gulf of Alaska down in Yakutat clear up north to the community of Slana and then east to the border, the Canadian border. So, we deal with actually three regional councils and four local advisory committees, and then our own

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\$RC. Hang on. Oh, one thing that you might be interested in, Zoo, there's been a recommendation in the past from the Wrangell-St. Elias Subsistence Resource Commission, is the addition of the community of Northway as a resident zone community and there have been at least two proposals to the Secretary of Interior that at least so far have been rejected until such time as a study could determine that residents of Northway -- there is a significant concentration of people in this community that had used Park resources for subsistence purposes, and then could be included as a resident zone. And it would take rule-making or regulation to do that. And we intend to study that, but we'd like to see what plays out with this C&T determination. Some of the work that Janis has done has been very good and help -- or will help us make those decisions about whether to add Northway as a resident zone.

16

17 Right now, the residents of Northway, for example, Lee Titus here has an eligibility permit that would allow him to engage in subsistence uses inside the Park. And I believe Lee and his family are the only ones that have. They aren't prohibited from hunting in the Park; they just need to get that permit. And I would encourage -- Lee, I talked with you yesterday, but if anybody wants to talk to us, it's a relatively easy process. They don't have to fill out any paperwork; they can just come and talk to me or Sean and we can take care of that very easily. Chuck's mother has a 1344 from Dot Lake. So, other than that, there really isn't any -- aren't any new issues since the last meeting we had in Tok. 20, I'd be glad to answer any questions if you have any.

30

31 MR. STARR: My understanding is -- Mr. Chairman?

32

33 MR. LEE TITUS: Um-hum.

34

35 MR. STARR: My understanding was this National Parks, when I was up there before, I asked why is the Federal government scrapping all this land. They said to help subsistence hunters. And I can't see why, if that's true, how come the people here can't go in there and hunt?

40

41 MR. WELLS: Well, Congress, when they passed ANILCA created National Parks a little bit differently. They added on a local requirement for people that were eligible in Parks. Now, that's not true of preserves, National Preserve. I take that back. It is true of National Preserves, also; you need to be a local resident, but it's -- this resident zone system of eligibility that was established in '81 was a means of determining who's local and who isn't. Now, when they went through that process, there were initially ten communities that

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were recommended as being resident zone communities for Wrangell-St. Elias. In the final regulation after all the public meetings, there were 18 communities that were listed. Northway was not one of them and, you know, there's a lot of speculation as to why Northway was left out. And I think because -- well, I think -- I've heard it said that they didn't raise a big stink at some of the public meetings like some of the other communities. But there certainly is a remedy for getting Northway back in as a resident zone community. I think once this C&T thing plays itself out, that the Park Service will probably go through rule-making and I think some of the preliminary indications -- maybe Janis can address this more -- lists that residents of Northway did have a customary and additional use of Park resources, particularly along the Nesbena Road and the Batzulnetas Fishery, and that should be very good evidence to suggest that we should add Northway as a resident zone community.

18

19 MR. LEE TITUS: Did you receive any kind of background information that shows that Tetlin also used the area?

21

22 MR. WELLS: You know, I'd have to defer, Mr. Chairman, to Janis. She's the one that's been compiling all that data and can speak to that much more fluently than I can, so....

25

26 MR. LEE TITUS: Okay.

27

28 MR. CHARLIE TITUS, JR.: I have a question, Mr. Chairman.

30

31 MR. LEE TITUS: Charlie.

32

33 MR. CHARLIE TITUS, JR.: On this Subsistence Resource Commission, in your last meeting, what was on your agenda or what did -- what's your agenda made up of?

36

37 MR. WELLS: The agenda for the Subsistence Resource Commission?

39

40 MR. CHARLIE TITUS, JR.: Yes. What do you....

41

42 MR. WELLS: Well, there has not been a meeting since our last meeting in Tok in November, I guess. And what will be on the agenda, presumably for the next meeting and the Chairman of that commission which is Roy Ewan sets that agenda with the superintendent, but I would guess what's going to be on the agenda coming up is certainly the resident zone boundary proposal for Wrangell St. Elias and probably the Northway and Tetlin recommendations to the Secretary that they do have an

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outstanding recommendation that both the villages of Tetlin and Northway be added as resident zone communities, and that will be certainly on the agenda again. And, boy, I couldn't tell you or speculate what else will be on there. But if you do have items that you would like to see on there, the person to get a hold of is either Frank Entsminger or Roy Ewan and they -- I'm sure they will be willing to get whatever you wanted to see on the agenda in there.

9

10 MR. CHARLIE TITUS, JR.: I was just curious about how it was made up and, you know, who's on there.

12

13 MR. WELLS: Oh. The -- all the Subsistence Resource Commissions for the National Parks have nine members and three of them are appointed by the Secretary of Interior, three are appointed by the Governor of Alaska, and three are appointed by the regional councils. In our case for Wrangell-St. Elias, one member is appointed by your Council, one member is appointed by the Southcentral Regional Advisory Council and one is appointed by the Southeast Regional Advisory Council.

21

22 MR. LEE TITUS: Question?

23

24 MR. CHARLIE TITUS, JR.: Thank you.

25

26 MR. WELLS: Any other questions?

27

28 MR. LEE TITUS: Within the National Park Service here, who owns these white dotted lines? I know Nebesna and there's a bunch of little other white dots within the National Park.

31

32 MR. WELLS: Yeah, Wrangell-St. Elias National Park and Preserve is a big place. It's 13 million acres. There's over 24 million acres of non-Federal land within the boundaries and the bulk of that non-Federal land would be Native corporation lands, primarily Ahtna Corporation and then a lot of village corporation lands. There's also a great deal of State land and then private land, owned by just private individuals, including mining claims, both patented and unpatented, you know, trade and manufacturing sites and homesteads. But most of that land that you pointed to there, Lee, is probably -- those big white blocks are probably Native corporation lands. (Pause) And I'll be around if you have any other questions. Just please come up and ask me. Thank you.

45

46 MR. LEE TITUS: Thank you. Did any -- oh, go ahead.

47

48 MR. TWITCHELL: Good morning, Chairman and Council members. My name is Hollis Twitchell. I'm the subsistence

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Coordinator for Denali National Park and Preserve. I only have three items that I'd like to update the Council on regarding the Denali area. None of them require any action on the part of this Council; it's basically for your knowledge. The Denali Subsistence Resource Commission recommended an alternative hunt on the north side of Denali in Unit 20(C) which is within your region several years ago. That particular proposal went to the Secretary and subsequently was directed to look at the resource and the customary and traditional use to see whether that alternate winter hunt would be appropriate, which was done. That proposal was taken to the Federal Subsistence Board at their meeting last August 17th and was presented to the Federal Subsistence Board. The board concurred with that proposal and thereby created this alternative winter hunt from November 15th through December 15th, retaining the one bull moose bag limit. So that provided subsistence users in 20(C) the option of a fall hunt from September 1st through September 30th, and then a winter hunt from November 15th to December 15th, and that was to address trappers who spend extensive periods of time in the Park trapping, away from their villages and communities.

22

23 It was the intention of the SRC that that proposal be
 24 an annual proposal, not a one-time action. So, that particular
 25 proposal didn't get represented the Federal Registration
 26 booklet as an additional hunt for the area this year. The
 27 Director of the National Park Service will be presenting a
 28 letter of clarification to the board at their next meeting,
 29 expressing it was the intent of the SRC and Denali National
 30 Park that this be a recurring hunt, and we believe that it's
 31 just a formality and that that hunt will be reauthorized and
 32 incorporated into the Federal Regulations.

33

34 The second issue was regarding the petition from the
 35 Northwest Arctic Regional Advisory Council regarding Federal
 36 jurisdiction being expanded onto selected lands and other lands
 37 for subsistence Title 8 purposes. The Denali Subsistence
 38 Resource Commission at their meeting last Friday discussed that
 39 proposal and passed a motion to support that proposal to allow
 40 Federal jurisdiction on selected lands within conservation
 41 units. This was particularly important for the community of
 42 Cantwell which is on the border of Denali. There's fairly
 43 extensive Ahtna selections right adjacent to that community
 44 aside of the Park that have not been opened to the Federal
 45 Subsistence Program and that creates a hardship for that
 46 community since they, in the past, had traditionally used those
 47 lands. So, the commission felt it would be appropriate to
 48 extend Federal jurisdiction onto selected lands within
 49 conservation unit boundaries. They strongly opposed extending
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Federal jurisdiction beyond the conservation unit boundaries onto other private or State lands.

3

4 And the final and third thing that I wanted to mention
5 to you was regarding an appeal that has been made to the
6 Federal Subsistence Board regarding C&T in an area right along
7 the eastern boundary of the Park. There was a determination
8 made by the State in 1988 that determined a small section of
9 the Parks Highway, 216 to 239 Mileposts, of not having C&T for
10 moose. That determination caused twelve people who had Park
11 Service permits not to be able to use moose in that area.
12 They, of course, appealed that decision to the State and,
13 subsequently, to the Federal Board after a Federal assumption.
14 That appeal is still pending. The SRC in their last meeting
15 has asked the Park Service to go back to these individuals who
16 lost their use of moose and caribou in that area and inform
17 them about the status of the appeal and also options that may
18 exist for an individual to ask for an exception to that
19 determination. So the Park will be contacting those previous
20 permittees and passing that information to them again.

21

22 I guess I will just remind you that this particular
23 Council wrote a letter to the Federal Subsistence Board two
24 years ago asking the board to put this appeal as a high
25 priority to be heard. The Southcentral Regional Advisory
26 Council has done the same at their last meeting, and so we
27 anticipate that that C&T review would be upcoming. Hopefully
28 within this next year we'll be able to begin on it. That's all
29 had. Thank you.

30

31 MR. LEE TITUS: Thank you, Hollis.

32

33 MR. JAN DICK: Good morning. My name is Jan Dick. I'm
34 the chief ranger and subsistence coordinator with the National
35 Park Service at Yukon-Charlie Rivers National Preserve. I
36 don't really have much to report other than just to step up
37 here and introduce myself again, and to mention that our
38 wildlife biologist, Kevin Fox, has been working very closely
39 with the Interim Fortymile Caribou Herd work that's being done.
40 We've been fairly quiet over there. We do have one study
41 going on that's been going on for a couple of years through the
42 University of Washington trying to look at our subsistence
43 levels and types of use, both currently and historically. From
44 what I understand of that project, the data has been collected
45 through various interviews. There's been no report come out to
46 date so far. Perhaps by the time of the next meeting, we'll
47 have something a little more concrete there. That's all I had
48 report, unless someone here on the Council has some
49 questions for me. Thank you.

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2 MR. LEE TITUS: Did you get a -- do you know if very
many residents of the Eagle area use the Park in that area?

4
5 MR. DICK: Until the study is done, we won't have a
6 real good idea. My general feeling is no. We probably get
7 most of our subsistence uses out of the Central-Circle area,
8 toward that end of the Preserve. We do have some subsistence
9 activity that occurs, primarily trapping out of the Eagle area,
10 but I don't think that that level is going to be real high.

11
12 MR. LEE TITUS: Charlie?

13
14 MR. CHARLIE TITUS, JR.: Yesterday, you had the colonel
15 from Eielson.

16
17 MR. DICK: Um-hum.

18
19 MR. CHARLIE TITUS, JR.: Their range, what he was
20 talking about the -- it affects Charlie River, doesn't it, the
21 Yukon-Charlie River?

22
23 MR. DICK: The MOAs....

24
25 MR. CHARLIE TITUS, JR.: Right.

26
27 MR. DICK:that he was speaking to? Yes, we've
28 been working pretty closely with the Air Force trying to come
29 to some level of understanding and develop a partnership there,
30 realizing that (A) the Park Service isn't going to go away, and
31 (B) neither is the Air Force, and we both have important
32 missions to fulfill. So, we've been working very closely with
33 them. Early on, the bulk of the efforts to get them to
34 mitigate their impacts was based on our concern for peregrine
35 falcons, an endangered species on the Charlie River. So far
36 we've found, or at least I feel, that they've been very
37 cooperative in what they've been trying to do. For instance,
38 we have a wolf survey, a collaring and whatnot that will be
39 going on in conjunction with one of their Cope Thunder
40 exercises here later on this month, and through some
41 negotiations, they agreed to move the floor of their MOA high
42 enough that we can operate below them. So, I think it's very
43 encouraging. We have had two complaints over the past three
44 years about aircraft being where they weren't supposed to be.
45 In one case, I guess there was some disciplinary action taken
46 against the pilot and as a result of the second investigation
47 and from what we saw, it appeared that the pilot just didn't
48 know where he was and was attempting to -- he realized where he
49 was and when we observed him was trying to get out of the area,
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So....

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3 MR. CHARLIE TITUS, JR.: Another question that came to
 4 my mind this morning. Whatever happened to that peregrine
 5 study? Did they ever conclude it or....

6

7 MR. DICK: The peregrine study?

8

9 MR. CHARLIE TITUS, JR.: Right.

10

11 MR. DICK: It's still going on. It's been an ongoing
 12 endeavor, coordinated or done primarily by Fish and Wildlife
 13 Service, their Endangered Species Division in Fairbanks. It is
 14 still going on; it may be in its last, at least this phase of
 15 it, may be in its last year. They're going to do some
 16 collecting, I believe, this year. They have to do it
 17 through -- because of the Endangered Species Act.

18

19 MR. LEE TITUS: The reason I asked about the -- the
 20 question if you guys have any data of subsistence use in the
 21 area, is because of within our C&T determination, we're looking
 22 at the possibility of including Eagle and Healy Lake....

23

24 MR. DICK: Um-hum

25

26 MR. LEE TITUS:into the Upper Tanana C&T
 27 determination. We feel that they don't have adequate
 28 representation as far as what's going on.

29

30 MR. DICK: Okay. I think there will be some more
 31 information coming out of this University of Washington study
 32 and, hopefully, we can have something forthcoming on that.

33

34 MR. LEE TITUS: Any more questions? Anybody from the
 35 public has any questions? Jerry? All right. Thank you.

36

37 MR. DICK: I'll be around for the rest of the day, too,
 38 if anyone has any questions. Thank you very much.

39

40 MR. LEE TITUS: Okay. Thank you. Anybody else want to
 41 make comments on the National Park Service?

42

43 MR. SANDY RABINOWITCH: Hello. My name is Sandy
 44 Rabinowitch and I'm with the National Park Service, the
 45 Subsistence Division in Anchorage. I'm going to give you just
 46 a very brief update on a regulatory matter, and if you've got
 47 questions we'll try to answer them. And if you've got
 48 comments, because we've got a recorder, we can just take any
 49 comments that you might have and basically sort of get them

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right into the record.

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3 The item is one that has a long and kind of complicated
 4 history and I'm not going to get into that unless you want to.
 5 It actually began in 1989 where there, at that time, was a --
 6 I guess one of the many periods where there was a lot of debate
 7 about same-day airborne taking of wolves. And the issue at
 8 that time prompted the Park Service to be concerned about that
 9 activity in the National Parks. So, from that issue, I guess
 10 10x years ago, there has been an ongoing regulatory process
 11 that started, paused, there were some emergency actions, and
 12 then was another long pause, and it sort of drifted all the way
 13 to where we are today. And where we are today is that in
 14 November of 1994, last November, the Park Service put out a
 15 proposal for a final regulation to close same-day airborne
 16 taking of wildlife - now more than just wolves; there's 15
 17 species of wildlife - with a firearm in National Park areas.
 18 So, I'll repeat that again. It's a proposed final rule to not
 19 allow same-day airborne taking with a firearm in National Park
 20 areas.

21

22 There was an official comment period from November 15th
 23 to December 15th. A couple of public meetings were held in
 24 Anchorage and Fairbanks, notices in various newspapers, and so
 25 on and so forth. Since that time -- or I should say after that
 26 December 15th date, we worked up the regulatory package that
 27 goes along with these things, submitted them into Washington
 28 to the Secretary's office -- Secretary of Interior, and
 29 proposed that that rule become final, become a regulation.
 30 We're still waiting for that to happen. The latest that I've
 31 been told is that it may have happened just the last day or
 32 two; it may happen today or tomorrow. We're right on the edge
 33 of something happening, and that's what I know about that.

34

35 There's a second part, but before I get into the second
 36 part, let me stop and ask if you've got any questions.

37

38 MR. LEE TITUS: During that one-month public comment
 39 period, I guess most of the comments that you have received
 40 were in favor of the proposal, right?

41

42 MR. RABINOWITCH: I think that's an accurate
 43 characterization. I can find in my file here the numbers. We
 44 got, just from memory, I believe we got about 100 people
 45 commenting between November and December, and I think it's fair
 46 to say that the majority, though not all, were in favor of
 47 that. We actually have comments that go all the way back to
 48 1989, so we've got, I think, over 1,000 spread out over all
 49 those years. But even over all that period, the numbers are

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far more in favor of that proposal than against.

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3 MR. LEE TITUS: That's a statewide proposal, right?

4

5 MR. RABINOWITCH: Yes, it is, but just let me
6 emphasize, just for Park Service areas.

7

8 MR. LEE TITUS: Did any other regional councils take
9 any actions on this proposal?

10

11 MR. RABINOWITCH: Not that I'm aware of. I had a small
12 bit of time at the Bristol Bay meeting a few weeks ago where I
13 gave this, you know, same bit of information. And if anyone
14 can help me in the room on that, I welcome the help if any
15 other council took any action.

16

17 MR. TWITCHELL: Are you going to comment on Western
18 Interior Regional Council?

19

20 MR. MATHEWS: If the question was, did anyone take
21 action during that comment period that was open, none of the
22 councils I know of meet during that time period. So, I would
23 assume they didn't take action on it. Now, subsequent to that
24 when he gets into the next subject, Western Interior, when it
25 met in Huslia, did take action on the second part. And we can
26 discuss that when we get into it.

27

28 MR. LEE TITUS: The reason I ask is where does the
29 regional councils fit in on this proposal process?

30

31 MR. RABINOWITCH: Actually, that's a -- I think it's a
32 wonderful question. It's something I've been asking myself
33 lately. And I think the answer is, in a more perfect world,
34 what would probably happen and I would hope that in the future
35 would happen, that what we, the Park Service, would do is
36 have enough foresight to see these kinds of needs coming, get
37 the material worked up, bring it to the councils in a timely
38 fashion, you know, understanding when the councils meet, let
39 you think about, take it back to villages and so on and so
40 forth, and then come back at your next meeting and, you know,
41 try to get some comments several months later. So, I think
42 that's, in my mind, how these -- it would be very nice if we
43 could make them work that way. And to the extent that I can do
44 that in the future, I can certainly tell you that I will try to
45 that. I, however, can't guarantee that circumstances will
46 always allow me to do that. I would be foolish if I made that
47 guarantee that, you know, I couldn't promise you that I'd carry
48 through with. But I can tell you I think that's the right way
49 and that's what I'll work to do.

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1
2 MR. LEE TITUS: Yeah, the reason I ask that is I
Believe we had this problem last spring, I believe it was, when
you went down to Anchorage, Jeff, and there was some kind of
proposal that was submitted to the Federal Board that the
regional councils didn't even know about. And I stressed they
shouldn't take any action on this proposal until it was
reviewed by the regional councils. I think we'll have to
clarify the system and eight different agencies throughout the
state and how -- if any kind of action that's going to be taken
by the regional councils, we have to draw a line of how the
process is going and especially when it has to do with
proposals.

14
15 MR. RABINOWITCH: I don't know if it helps any, but I
agree with you. I think you're right. I really do. I really
do. Hopefully, the circumstances -- as these various issues
arise, hopefully circumstances will let that exact kind of
thing happen.

20
21 MR. LEE TITUS: Any more questions? Does the public
have any questions before we go on to the second part of the
discussion? Yeah?

24
25 MR. GARDNER: I just wanted to know of the 100
responses that you received from the, you know, public comment
on the proposals, you know, since it was in the Federal
Register, how many came from Alaskans and was it further
separated into urban to rural respondents? I'm always
interested in seeing how, you know -- really, you can say 100
was in favor, but if it's all from Outside or all from, you
know, Anchorage, it doesn't mean as much to people here.

33
34 MR. RABINOWITCH: Let me read from my notes that I've
constructed, and I may not exactly answer your question about
the 100 or so that we've got most recently. In total, going
back to 1989, we've actually had 1,406 comments. I'm just
literally reading from my notes here that someone else has, you
know, compiled for me. Ninety-three percent -- okay, 93% --
now, actually, bear with me because there was an error that was
in this. Okay. Of the 1,406, 322 came from Alaska so the rest
then came from the lower 48 states. Of the 322 from Alaska,
222 were pro and 100 were con to this proposal and if we did
the math right it comes out 69% in favor and 31% against from
within Alaska. In terms of urban and rural, no, I don't have
any breakdown to that. Does that -- that's the best I can do.
Any other parts? Okay. Shall I go ahead to the second part?

48
49 MR. LEE TITUS: (Nods head)
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1
2 MR. RABINOWITCH: Okay. The second part of what
3 occurred with this same Federal Register notice, public
4 meetings and so on, was an attempt by the Park Service to
5 clarify an existing regulation and let me state that - and this
6 may be a little redundant - but we believe that we have a
7 regulation that when you read it, it's just not clear. So, all
8 we were trying to do was restate it using some different words
9 and try to make it clear. That's the only thing that was
10 trying to be done. Okay. Now, so what was it about? It had
11 to do with trapping and the current definition in Park Service
12 regulations that have been on the books since 1981 defines a
13 trap in the following way. I'm going to just read one
14 sentence. The term trap means a ". . .snare, trap, mesh, or
15 other implement designed to entrap animals other than fish."
16 Now the part that is -- we're trying to clarify was, Is a
17 firearm a trap? Because if you look at other Federal agency
18 regulations and I believe State regulations - if anybody can
19 correct me, please help me out - but I believe if you look at
20 all those, you'll find that a firearm is included in those
21 other definitions of traps. It is not in the Park Service's as
22 we just read.

23
24 So, what we were trying to do was make it absolutely
25 clear by adding some additional language that a firearm was
26 simply not a trap. Now, a rather interesting thing --
27 actually, several interesting things occurred by bringing this
28 out and trying to clarify it. And I think the main one was
29 that many people from different areas from the state, from
30 Akutuvuk Pass and Bristol Bay, several people told me -- and I
31 think Vince -- I haven't heard the information, but I think
32 Vince will tell us a similar thing from the meeting in Huslia
33 last week or the week before, was that a lot of people just
34 didn't even -- didn't know this Park Service regulation was the
35 way it was and weren't aware that, very technically, if you
36 took a free-ranging animal while you were trapping with a
37 firearm that it was a violation of Park Service regulation.
38 And I repeat, I think we found it very interesting that in
39 different parts of the state, that so many, you know, different
40 people weren't aware of that. You know, I've been listening to
41 all the discussion in the last couple days in the meeting and
42 I think I have a better understanding of why people wouldn't
43 understand that. I've been here trying to use my ears, not my
44 mouth. But nonetheless, around the state, you know, that's
45 what we've been hearing.

46
47 So, in any case, the proposal was to simply clarify the
48 language and because of a lot of comments -- actually, not a
49 lot of comments numerically, but, you know, the same comment
50

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from many areas, what Park Service proposed to the Department in December when we wrote all this up and sent it in and said here's the action we want to take, we actually proposed to extend the comment period. In other words, to not make a decision, to extend the comment period, take more public comment so that we could really get the issue aired. We have not been able because of the slowness of moving the paper through Washington, we've not been able to yet reopen the comment period. So, that will be coming about soon, though I can't tell you exactly when. I can guarantee that we'll make you aware of when that occurs. So, our goal is to reopen the comment period on this, take more comments, close that comment period, analyze all the comments we've gotten and figure out where to go. In simple terms, I think there's three places to go. One is just drop the clarification; just don't do anything. The result of that, however, would be to leave the existing regulation on the books. Okay. Whether it's clear or not, it would leave it on the books. Another, and one that I can't claim has been talked about internally within the Park Service but logic leads you to it, is we could actually consider modifying the regulation by adding firearms into the definition. Okay. And then, of course, the other would be to go forward with the clarification as we've proposed it. Those are the three courses of action that, in my mind, I can sort of think through that one could go to.

26

Now, if you've got questions, I'm happy to try to answer them. If you've got any comments, you think this is a good -- you know, the regulation is a good idea, bad idea, or whatever, it's very easy for me to make anything you say part of the record because it's all being transcribed and I'll get a copy of this transcribed record. So, anything you say, we will actually roll into the record of that process. I'll stop right here.

35

MR. LEE TITUS: So, you're saying let's say if I have a trap line in the Park and I'm out there checking my traps and I happen to bump into a pack of wolves and if I shoot at them with a rifle, then I'm breaking the law?

40

MR. RABINOWITCH: Let me answer yes, but let me clarify. If the wolf is in a trap and then you shoot -- in your trap and then shoot it, that's fine. That's within the law. If the wolf is free-ranging, then it would be technically against the law. You know, it's a very tricky split, and that's part of why, as I said, you know, we've gotten lots of comments from around the state that this isn't how we do it. That's really the comment. So, we decided that it was very important to open this back up and give people more

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opportunity, you know, to talk about this and air the issue.

2
3 MR. LEE TITUS: Hollis?

4
5 MR. TWITCHELL: I just wanted to clarify that a little
6 bit further. If you came across a free-roaming animal such as
7 a wolf and you took it with a rifle, you would be taking it
8 under the hunting authorization for subsistence hunting under
9 those seasons, bag limits, and harvest levels. So the problem
10 arises is that very often the hunting seasons and bag limits
11 for hunting are shorter and less than that harvest allowed
12 under a trapping. So, subsequently, you have trappers in the
13 field beyond the date of a hunting season and it's only at that
14 time that taking a free-roaming animal with a rifle would pose
15 a problem, so....

16
17 MR. RABINOWITCH: Thank you very much.

18
19 MR. STARR: Mr. Chairman?

20
21 MR. LEE TITUS: Yes, John?

22
23 MR. STARR: Well, anybody with common sense would say
24 you've got to have a rifle out there for safety.

25
26 MR. RABINOWITCH: I agree, I agree.

27
28 MR. ROACH: Mr. Chairman, I have a question.

29
30 MR. LEE TITUS: Yes, Jeff.

31
32 MR. ROACH: I think I heard you state earlier that all
33 of the other Federal agencies and the State of Alaska considers
34 a firearm to be a trap under their trapping regulations. It's
35 only the Park Service that has the exclusion of firearm?

36
37 MR. RABINOWITCH: I believe that's the case. And since
38 I think we've got somebody from every agency here, is there
39 anyone that disagrees with that? (Pause) Okay. It looks like
40 everyone agrees.

41
42 MR. ROACH: I've been in favor of keeping regulations
43 uniform over all Federal lands as long as there's not some
44 specific reason to make it different. And I don't see that
45 right now that there's a specific reason to make it different.
46 I think that those regulations should be as uniform as
47 possible and my belief is that we should try to do that unless
48 there's a specific reason to make it different.

49
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1 MR. LEE TITUS: Did you have a comment?

2

3 MR. JOHN MORRISON: I'm John Morrison with the
Department of Fish and Game. I would point out that the
State's regulation requires that if a trapper has accessed his
trap line by aircraft, he has to get 300 feet away from the
airplane before he can shoot at an untrapped animal that he
happens to encounter while running his trap line. And the
State Board of Game instituted that regulation because there
are opportunities for trappers to increase their take for their
economic benefit by being able to shoot wolves or whatever
might be met while running the trap line. But they do stick
with that 300 foot limit in order to avoid conflicting with the
same-day airborne regulation.

15

16 MR. LEE TITUS: Vince?

17

18 MR. MATHEWS: Mr. Chairman, the Western Interior took
this up at their Huslia meeting and I've been talking with
staff, and I can kind of summarize what they did, but I'm not
sure if I have it all clear. Sometimes when you're as close to
the Council and trying to keep the meeting going, you don't see
the big picture. But, essentially, several of the Council
members were very concerned about this action that started with
this November 15th, 1994. And so they charged me, and I don't
have a copy of that letter, to draft a letter to the Park
Service and to the Federal Subsistence Board, I believe,
complaining about how this Federal Register notice did not take
advantage of the advisory systems that are available and that
is, in the opinion of one member -- and that's why I'm kind
of confused and maybe Hollis can help me out on this because I
had a lot of dialogue with one member and I'm not sure what, in
my head now, what the Council did on that. But, essentially,
they were saying that the process needs to incorporate the
councils and I believe, but I don't have my notes in front of
me, that they wanted the regulations under Park Service to
mirror the regulations that are under the Federal Subsistence
Program. And I'm not real clear on that, so maybe -- Hollis
was at that meeting and was not as much into the thick of the
middle of the meeting. Maybe he can verify that. The letter
has not been drafted. It's sitting in a box in my office.

42

43 MR. TWITCHELL: As I understand it, the Western
Interior Regional Council wanted to draft a letter to the Park
Service, initially, but also I think they wanted to address a
wider scale that if any agency proposes one of their own
internal regulations that would in any way affect subsistence
seasons or harvest levels or methods, that the agency needs to
have that regulation through the regional councils, local

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advisory groups, and the Federal Subsistence Board. That was the main thrust that I received. And they also brought up a series of points on how this trapping clarification would impact subsistence users and they were going to include, I think, about four elements in the letter to the director.

6

MR. MATHEWS: Mr. Chairman, to make it clear to you, there is not an open comment period for this section on trapping, but the Park Service obviously has agreed that if you do take action on this, we will submit it and it will be incorporated during that comment period. They were shooting for a March 1st deadline for that comment period, but that's dictated by a lot of other factors, so it's not out yet. So you can take action today if you so desire and they'll accept it.

16

MR. LEE TITUS: Charlie?

18

MR. CHARLIE TITUS, JR.: Yes, Mr. Chairman. Is there a proposal out there to change this to make it uniform?

21

MR. MATHEWS: Well, that's where it gets a little difficult. It's not a proposal to change it and Park Service can correct me. This was a clarification of a regulation that's existed since 1982. And so they're clarifying that the regulation as it stands now is that the use of a firearm is not considered a trap. So I caution you on proposal, but that doesn't mean you cannot make a recommendation to say that you should....

30

MR. CHARLIE TITUS, JR.: There's something wrong here because -- well, to me; I don't know about the rest of the Council. It seems like if we're going to protect the subsistence user, if he goes -- for instance, just an example, he takes off on a -- he's a subsistence user and, economically, he isn't well off and comes across a wolf, a fine chance of getting it. Are we going to prosecute him for doing it?

38

MR. MATHEWS: He'd only be prosecuted if he dispatched that animal with a firearm....

41

MR. CHARLIE TITUS, JR.: That's what I mean.

43

MR. MATHEWS:outside of a hunting season and during a trapping season, if I got that right. There's probably another qualifier, but essentially that -- once the window of hunting season closes down, then you can only take that wolf if it was in a trap. In a nutshell, that's it.

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1 MR. LEE TITUS: Okay. Did you have a question?

2

3 MR. JIM WOOLINGTON: Mr. Chairman, Jim Woolington, Fish
4 and Game, Fairbanks. I guess I'm a little bit confused about
5 the regulation here because when he started out, I think the
6 proposal is to make use of -- you can't shoot a furbearer or
7 any other animal, was it, on National Park? Was it all Federal
8 lands?

9

10 MR. RABINOWITCH: No, no, no. Only National Parks.

11

12 MR. WOOLINGTON: On National Parks.

13

14 MR. RABINOWITCH: Um-hum.

15

16 MR. WOOLINGTON: This regulation is to affect only
17 National Parks?

18

19 MR. RABINOWITCH: Correct.

20

21 MR. WOOLINGTON: And to use a firearm -- the regulation
22 to prohibit the use of a firearm if you've -- same-day as
23 airborne. So -- and now what he's been talking about is that
24 he -- this is where I'm confused because for the past five
25 minutes he's been saying that the regulation changes to make it
26 legal to use a firearm. Under State regulations, if you've got
27 trapping license, it is presently legal to use a firearm to
28 take a free-ranging animal -- or free-ranging furbearer.
29 Excuse me. If you have been airborne the same day, you've got
30 to be 300 yards (sic), but even -- is it on Preserve lands,
31 it's still legal to do it?

32

33 MR. RABINOWITCH: Let me answer....

34

35 MR. WOOLINGTON: Is it presently legal to take a
36 free-ranging animal -- free-ranging furbearer with a firearm on
37 Preserve lands at this time?

38

39 MR. RABINOWITCH: I can't give you a simple yes or no
40 because it depends on seasons and bag limits and various
41 things. I think that....

42

43 MR. WOOLINGTON: Within a season, is it legal?

44

45 MR. RABINOWITCH: Excuse me. Let me finish, please. I
46 think that there is confusion, okay, and I'm more than happy to
47 try to sort that out with you. There are two parts to what
48 we've been talking about and I've very purposefully tried to
49 keep them separate because they are not connected and if you

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start to connect these two, it does get confusing. It doesn't make sense. Okay. What I'm saying is that the trapping clarification, the second item I talked about, it does not have a direct relationship to the same-day airborne. Okay. They're just -- they're separate issues. You hook them together, it won't -- I can't make sense of it either if you hook them together. It doesn't work that way. Okay.

8

9 MR. WOOLINGTON: Are they separate proposals?

10

11 MR. RABINOWITCH: They are separate proposals. They're stuck in one Federal Register notice, but they're separate. My answer -- I'll look back to my colleagues, if anyone could help me. But do you believe they're separate? They're really separate issues?

16

17 MR. WOOLINGTON: Separate proposals, not issues.

18

19 MR. RABINOWITCH: I don't know what you mean by proposals, but I'll say, yes, I believe they're separate proposals.

22

23 MR. WOOLINGTON: Okay.

24

25 MR. MATHEWS: Mr. Chairman, the term that we need to avoid here is the word "proposal." That's where the -- this is clarification of existing regulations. So this body could submit recommendations which would be similar to a proposal. So, it might be better to say the issues before us are same-day airborne which is going to final rule, and the other issue is this question of trapping. So, it's issues we need to focus on. Proposals would be coming from this group, trappers, whatever. Just so we get that clear because a lot of people gear into "proposals" and then we've got a whole other mindset.

35

36 MR. LEE TITUS: Yeah, you had a....

37

38 MR. WOOLINGTON: But under State regulations if you have a trapping license, it is not illegal to shoot a wolf with a rifle. And I felt that people were getting the idea that it was illegal to take a wolf with a rifle.

42

43 MR. LEE TITUS: Okay. Did you have a....

44

45 MR. CHARLIE TITUS, JR.: I'm a little lost here again, Mr. Chairman. I think we -- on Park lands there is subsistence proposals. Do we make recommendations to these proposals? Are they all for....

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1 MR. LEE TITUS: On all Federal lands. Any kind of....

2

3 MR. CHARLIE TITUS, JR.: On all Federal....

4

5 MR. LEE TITUS: Yeah.

6

7 MR. MATHEWS: You would be commenting on this
clarification and I'm just saying, in reality, if your comment
is that you should be able to use a rifle for a free-ranging
animal, it's essentially in common terms proposal. I was just
afraid that once we get in that proposal mode, I saw a lot of
flags going up around the room, and then it's a whole different
mentality. This is a comment phase and I want the Council to
know that this is done to do a clarification of a regulation,
and that's where it's at. The comment period will be in the
next couple weeks or whatever. Obviously, you're not meeting
again, so that's why I brought it up after talking it over with
the Park Service to make sure your comments would be
incorporated.

20

21 MR. CHARLIE TITUS, JR.: One question for you, Vince.
Did -- the meeting in Huslia, did they take any sort of action
on this or did....

24

25 MR. MATHEWS: Yes. Mr. Chairman, they are drafting a
letter saying that all Federal agencies, when they deal with
regulations that may affect subsistence, that they have to go
through councils and through the Federal Subsistence Board.
That's based on, you know, both Hollis' and my memory. I
apologize for not bringing all that material here, but the
letter was drafted by one member and the member -- you know,
they agreed to it. I haven't even really read the total
package, but, essentially, they were quite concerned about
this. A lot of the discussion focused around it. They feel
that this clarification is invading the Subpart D Process
because it's looking at potentially affecting seasons and
harvest limits. So, they -- several members were very
concerned about this and rightfully so. The Park Service has
responded to the intensity of concerns on this issue. There's
been a lot of others that have -- with the trapping groups that
have made it known, and that's why it's been split out and
there's this open comment period. I hope I'm not confusing
you, but that gives you the history.

44

45 MR. DAVID JAMES: Mr. Chairman, members of the Council.
If memory serves me right, this Council is already on record
making the same statement. Maybe some of the new members
don't know that, but I think probably Jeff remembers, probably,
you know, Lee, that a letter has been sent to -- it either went

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to the Secretary or the Chair of the board or both. I'm not sure which now.

3

4 MR. ROACH: I believe it went to both, David.

5

6 MR. JAMES: Both? Okay. By the way, that's a third issue now. We're up to three now. I guess if I sit up here and talk long enough, maybe we can get it to four. I'm being facetious. But, again, you know, that's a separate issue. This Council is already on record has having addressed that particular issue. We're talking about process; not about trapping here, but the regulatory process. Thank you.

13

14 MR. ROACH: Mr. Chairman?

15

16 MR. LEE TITUS: Yes, Jeff?

17

18 MR. ROACH: I'd like to make a motion that we make the recommendation that the National Park Service comes in line with the other Federal agencies including firearms in the definition of a trap.

22

23 MR. LEE TITUS: That includes both of the -- what we were talking about right?

25

26 MR. CHARLIE TITUS, JR.: Um-hum (affirmative). Federal and the Park Service

28

29 MR. LEE TITUS: Okay. The motion is on the floor.

30

31 MR. CHARLIE TITUS, JR.: I'll second the motion, Mr. Chairman.

33

34 MR. LEE TITUS: It's been moved and seconded. Discussion.

36

37 MR. ROACH: Mr. Chairman, as I stated earlier, I believe that the Federal agencies should try to become uniform unless there is a specific reason that that should not occur. This uniformity of regulations makes it easier to understand and I think makes enforcement easier, it makes easier on the subsistence user, and makes it easier on the managers, as well. So, that's my justification for making the justification.

44

45 MR. LEE TITUS: Charlie?

46

47 MR. CHARLIE TITUS, JR.: Yes, Mr. Chairman. I think it would be good for the whole Eastern Interior area because if you look at Northway on the map, they're right next to the

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Wrangell-St. Elias. They're close enough to have a trap line running through there. And, also, in the Yukon Flats, it's the same reason because there's Fort Yukon for instance, Beaver, and they're in the Yukon Flats Refuge. So, I think this is a good....

6
7 MR. STARR: It's a good -- yeah, I'll go for that.

8
9 MR. LEE TITUS: Any more under discussions? Vince?

10
11 MR. MATHEWS: Just so I get it clear on the record,
12 that you want them to come in line that a firearm can be used
13 dispatch free-roaming furbearers under a trapping license.
14 that the intent?

15
16 MR. ROACH: Yes.

17
18 MR. MATHEWS: Okay.

19
20 MR. LEE TITUS: I'm not going to say if I'm going to
21 vote for or against this motion, but I just have -- there's
22 just something that I want to say to everybody, is that in most
23 of our regulations or proposals, we are dealing with conforming
24 State law, especially when we're dealing with subsistence.
25 Unless administration change or the legislation do something
26 about that law, as far as I know, everybody in the state is
27 allowed to subsist anywhere. There's subsistence activity
28 going on. We have a problem with that down in our area, down
29 here, especially when the caribou season is open. The State
30 opens a subsistence caribou hunt and it's like a circus out
31 there. Are we going to have to deal with people coming in and
32 trying in and shooting wolves or whatever under subsistence
33 law? I think there should be more clarification as the process
34 at each individual area. When you're dealing with statewide
35 issues, it has an effect on local communities and those effects
36 should be taken into consideration. Any more under discussion?
37 Vince?

38
39 MR. MATHEWS: That sounded like a question to me. Did
40 you want someone to address that before you vote, or did you
41 want to leave that as is?

42
43 MR. LEE TITUS: I'll just leave it as is.

44
45 MR. CHARLIE TITUS, JR.: Mr. Chairman?

46
47 MR. LEE TITUS: Charlie?

48
49 MR. CHARLIE TITUS, JR.: I think I would like a

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clarification. What is the -- I'm having a problem. I think Lee did bring up a good point, too. I'm looking at it different than what Lee and Jeff is looking at. I'm thinking of the trapper's position and I'm not looking at the overall picture, I believe. I didn't mean for this to affect the person that flies in and goes and shoot it. I only meant the incidental. If he was a trapper and he took it, I don't think we should prosecute. That's what I'm saying. But I don't mean that anybody can go out there and shoot the animal.

10

11 MR. MATHEWS: I think you need a clarification on who's eligible to hunt on Park lands. That's why I'm thinking that may answer your question and if I attempt to do that, I think I'm going to not do a fair job.

15

16 MR. LEE TITUS: I think we can deal with that when we get back.

18

19 MR. MATHEWS: No, no. No, it's -- no, no, it's a general question that refers to your concerns there and maybe the Park Service can address that under Federal regs, who would qualify.

23

24 MR. RABINOWITCH: Let me try a simple response and I'll quickly look over my shoulder to my colleagues and see if I got it right because it is confusing. Here's my simple try: The Parks and the monuments are, of course, not open to sport hunting or the State seasons. Okay. Only to qualified local rural -- you know, subsistence users. But the Preserves are a different matter so Yukon-Charlie National Preserve to the north of you and those portions of Wrangell-St. Elias that are Preserve to the south of you are open to sport season. Now, I'll look over my shoulder. Should I add anything or did I get it right? Okay. Does that help?

35

36 MR. LEE TITUS: Okay. Let's say that State and Federal laws are in unity, all right, pertaining to this subject. Under State law, anybody in the state is eligible to use this area, right, under State law. But under Federal law, only rural areas are eligible to use a specific area within the Park?

42

43 MR. RABINOWITCH: Right. In the National Park Service, the short answer is yes. The National Park Service, in simple terms, has three kinds of areas: parks, monuments, and preserves. Wrangell-St. Elias is both a Park and Preserve; it has some of each. I don't believe we've got any monuments in our Council area. Yukon-Charlie is all a Preserve; there's no Park there. So, in Yukon-Charlie, for example, it's open to

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sport hunting consistent with State seasons and bag limits and such. In Wrangell-St. Elias, the Preserve portion is just the same as Yukon-Charlie, but the Park portion is different because the sport hunter wouldn't be allowed in the Park portion of Wrangell-St. Elias.

6

7 MR. ROACH: Mr. Chairman?

8

9 MR. LEE TITUS: Yes, Jeff?

10

11 MR. ROACH: I think that we're bringing a separate issue into what our discussion is that really doesn't apply a whole lot to what we're talking about because we are -- all we're trying to do with this motion is bring the National Park Service in line with the other Federal agencies. It would be the same one, Tetlin Wildlife Refuge or U.S. Forest Service lands or any of those other lands. We're just trying to get the agency, the National Park Service as an agency, in coordination with those others.

20

21 MR. CHARLIE TITUS, JR.: Mr. Chairman?

22

23 MR. LEE TITUS: Charlie?

24

25 MR. CHARLIE TITUS, JR.: Then it would still go on to the C&T determination?

27

28 MR. RABINOWITCH: Yes, all of that would -- still has to be worked through.

30

31 MR. LEE TITUS: Any more under discussion? Hearing none, all in favor of the motion, signify by saying aye.

33

34 ALL MEMBERS: Aye.

35

36 MR. LEE TITUS: Opposed? Motion carries. Do you have any more?

38

39 MR. RABINOWITCH: I do have copies of the Federal Register notice if anybody would like it and I will get one to the....

42

43 MR. LEE TITUS: Oh, all right.

44

45 MR. RABINOWITCH: Have you already passed them out, once?

47

48 MR. MATHEWS: No, I didn't. I just didn't. If you'd like a copy I can pass them out. They're blue here. But

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that's the previous Federal Register notice. The comment one
is not out yet.

MR. RABINOWITCH: That's right. What Vince has is the
most current, but it's getting a little old, I guess, but it's
still the most current one. I will give copies to the recorder
so it's all in your record, also.

MR. LEE TITUS: All right.

MR. RABINOWITCH: I thank you and if -- I'll be here
the rest of the day, so if you've got any follow-up questions,
I'd be certainly happy to talk with you about it.

MR. LEE TITUS: Okay. Any more staff from the Park
Service that would like to make any more -- any comments before
we move on to Fish and Wildlife? All right. I guess we'll
hear from the Fish & Wildlife Service.

MR. MATHEWS: Mr. Chairman, while they're walking up,
I'll just update something that you need to know. The
Coordinator position is still vacant and, hopefully, that will
be filled in the next month or two, and the public needs to
know that the Office of Personnel Management announcement
should be coming out any day. So, if they have questions on
that, they can call our office to find out. That's the status
of your vacant coordinator position. Thank you.

MR. LEE TITUS: So, if anything changes, we might have
a new coordinator by the next October meeting or whenever
we're having our meeting?

MR. MATHEWS: There is a potential for that, correct.

MR. LEE TITUS: Oh, okay. Okay. Yes?

MR. TED HEUER: Good morning, Mr. Chair. My name is
Ted Heuer. It's going to be a team effort this morning.

MR. LEE TITUS: Okay.

MR. HEUER: I'm the Refuge manager of Yukon Flats
National Wildlife Refuge and I'll let -- I think everybody
knows David, but I'll let him introduce himself.

MR. JAMES: David James. I'm the subsistence
Coordinator with the Yukon Flats Refuge, the Arctic National
Wildlife Refuge, and also Kanuti which is in a different
region.

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 2 MR. HEUER: The main reason that we're here this
 morning, of course, is to try and answer any questions you
 might have about proposals that affect the Yukon Flats area or
 about Refuge programs in general. But we do appreciate the
 opportunity to give an agency report and talk about a few
 issues that are important to us. We have some old business
 we'd like to cover this morning, some issues that were
 discussed during the last council meeting, and a couple of new
 issues as well. I guess I'd like to start by just advertising
 a couple of opportunities that we have on the Refuge this
 summer. We're always looking for ways to increase interactions
 with local residents and provide job opportunities, and we have
 a couple of seasonal positions that we'll be filling this
 summer from the Yukon Flats area. One is a RAPS student
 position. RAPS stands for Resource Apprenticeship Program
 student. It's a BIA-funded program and, basically, it's for
 high school students to work with plan managing agencies for a
 period of about six weeks during the summer. I like to think
 of it as a learning experience for them and for us. We had
 Eddie Paul from Chalkyitsik that worked with us last summer and
 we're looking for another high school student that's interested
 in working for the Fish and Wildlife Service and likes to spend
 a lot of time in the field. So, if you know anybody like that,
 we'd appreciate it if you'd have them call us or they can
 contact any of the schools in the Yukon Flats.

27
 28 We also have a biological technician, a local hire
 position that we'll be filling this summer. Again, we're
 looking for somebody from the Yukon Flats area. They would
 participate in all of our field programs and work with us from
 about the middle of May through September. And, again, if you
 know anybody that might be interested, please have them contact
 us. I might also mention that the RAPS program is, of course,
 not restricted to the Yukon Flats area; there are a lot of
 positions available in other areas and with other agencies.
 And if you'd like some more information about it, I'll be glad
 to talk to you after the meeting.

39
 40 I guess the first thing that we really wanted to talk
 about this morning is our moose management efforts. Every
 year, the Refuge staff, in cooperation with the Alaska
 Department of Fish and Game, conducts a moose trend survey in
 Game Management Subunits 25(D)East and West. We have two
 survey units in 25(D)East and three in 25(D)West. During
 October and November of '94, we completed all of the units in
 25(D)East. We had a spell of real bad weather during November
 and we did not complete the western portion; got about half of
 the units flown. Basically, the data did not indicate that

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there was a significant change in the population in either the Western Flats or the Eastern Flats from previous years. We're still very concerned about a very low moose population that we have in the Western Yukon Flats around the Beaver and Birch Creek and Stevens Village area.

6

7 David will talk a little bit more about that in a minute. I'd just like to mention that we have copies of the report from our trend surveys. They go into a little more detail, describe the survey areas, the bull:cow ratios, the cow:calf ratios, and so on. If you're interested in those, I'll be glad to provide those to you. And I'll let David talk a little bit more about our moose management efforts here.

14

15 MR. JAMES: I'll talk about the moose and then one other item has to do with black bears, although it's related to the moose. At your meeting in Tok last fall, you might remember that we mentioned we were proposing a moose study and it was to address this chronically low moose population in the Western part of the Flats. The Council agreed with the concept of a study and even recommended that funding be provided for it. Well, unfortunately, we didn't get the money for the project; it's rather expensive, it would be a special project, but we haven't given up on it. We're going to try again this year. The important thing, though, is that most people realize that, through good old common sense, that the study alone isn't going to solve the problem there. The study will only be a small step in a larger process.

29

30 More than the study, we actually need a moose management plan, a plan of attack of how we're going to try to turn that situation around. On the Refuge, we think that a moose management plan is going to have to have five essential ingredients. First of all, there's got to be a general agreement among all the people that are affected by it; that we're dealing with a serious problem, otherwise there would be no motivation there to do anything about it. There also has to be a general agreement that the right people and organizations are working on the problem. There also has to be a general agreement that the way we're going about dealing with the problem is both reasonable and fair. There also has to be a general agreement that all interested people, somewhere in this process, have a chance to express their opinion, and that's how we're going to develop ownership into this. And, lastly and perhaps even most important, everyone is going to have to agree, or I should say there has to be a general agreement that what we propose to do to solve this problem, if we can agree there is a problem, is better than doing nothing at all.

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1 So until we have a moose management in place or at
 2 least well under way, we might even be wasting our time
 3 conducting an expensive study. So, that's why this winter,
 4 we've gone ahead and launched, moved forward I should say, on
 5 trying to develop a moose management plan. So far, that's
 6 simply consisted of traveling to the key villages in the
 7 Flats - Stevens Village, Beaver, and Birch Creek - and to a
 8 lesser degree, to some of the hunters in Fort Yukon to talk
 9 informally with people to try to start building a foundation
 10 for a consensus approach to this thing. Within two or three
 11 months, we'll have a preliminary report on that effort and
 12 those of you that are interested, I can make sure you get a
 13 copy.

14

15 Another item concerning moose in Unit 25(D) West has to
 16 do with the reporting of the harvest through the Federal hunt
 17 permit system. In the first year of that process, '93, '94,
 18 we didn't receive a single report out of the allocation of
 19 thirty. This year, we're a little bit ahead of that; there
 20 have been some reports turned in, but what I'm finding is that
 21 there's still widespread confusion and misunderstanding about
 22 how that program works. It would take me a long time to
 23 explain the details of why that exists and I don't think this
 24 Council is really interested in hearing that. If you are, I
 25 can go into it. I'll just end by saying that we are attempting
 26 work now with the tribal councils in the three villages to
 27 try to get this straightened out.

28

29 There's another study -- I'll go ahead with the black
 30 bear now. Okay. All right. There's another study that we are
 31 proposing with the Refuge and we hope to get it started this
 32 summer. It's on a lot smaller scale than the proposed moose
 33 study and, therefore, it costs a lot less and we have greater
 34 discretion of being able to get this thing started. That is we
 35 hope to radio-collar 20 black bears in order to learn something
 36 about their lives there on the Flats. We believe that the
 37 information that we get from that study will, number one,
 38 complement the information that we get from this hoped for
 39 moose study, assuming we're able to get it going here before
 40 long, and also the information will be valuable in future
 41 dealings with potential oil development, mitigating, as we call
 42 it, the impacts from potential development. Do you have any
 43 questions on either the moose or the bear?

44

45 MR. MAYO: Mr. Chairman? I just wanted to comment on
 46 these studies. Last October when this board voted on this
 47 proposed collaring study, I went back to the village and asked,
 48 you know, the village people and the Council, you know, the
 49 hunters and the Elders and stuff how they felt about this.

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And, you know, the village as a whole opposes this kind of messing around with the animals like that. You know, in the Elders' point of view, you don't play with those things and that's really offensive to the animals to put these things on them that's just going to add to their stress with these things on them. You know, it's going to bother them and they're going to try to get them off. And, you know, they can't rest like that. So the people don't want this kind of a study. We're open to other ways of studying them, but not putting no electronic unnatural things on them.

11

12 MR. JAMES: Randy, I can -- there's not very many things we can promise in these agency positions, but one thing I can promise you is that the study, either one of them, is not going forward until we talk to you and your community more about it first. That, I can guarantee.

17

18 MR. MAYO: Yeah. I just wanted to make the position of the people known.

20

21 MR. JAMES: Thank you.

22

23 MR. LEE TITUS: Any more questions?

24

25 MR. HEUER: We have one more issue that we'd like to just briefly update you on and that is the proposal or the idea to reintroduce Wood bison into the Yukon Flats. We received a letter on Monday of this week from Cormack Gates, who is the Chairman of the Canadian Wood Bison Recovery Team, and the letter was addressed to the Fish and Wildlife Service, Alaska Department of Fish and Game, CATG, and Doyon. And, basically, the Canadians are very supportive and interested in the idea of reintroducing Wood bison in Alaska. They would like to hold the next meeting of their Wood Bison Recovery Team in Alaska in April and it'll probably be in Fort Yukon. They wanted the opportunity to discuss the idea with local land owners and land managing agencies. And I'll just mention that it's the Refuge's position that the idea has a lot of merit. There are still a lot of issues that need to be discussed and resolved by all of the stakeholders and, by stakeholders, I mean the village corporations, local residents, Doyon, ADF&G, and the Fish and Wildlife Service, and that we wouldn't fully support the idea until all of the stakeholders agree that it's a good idea. And so we'll have more on that at the next meeting after the April meeting with the Wood Bison Recovery Team.

46

47 And I'll also mention that Jim Woolington, with the Alaska Department of Fish and Game, has copies of a feasibility study that ADF&G put together on this idea, and I'm sure he'll

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be glad to give them to any of the Council members that would like to have them. Any questions about that?

3

4 MR. LEE TITUS: Who introduced this program, the bison program?

6

7 MR. HEUER: Well, it would be, if it's done at all, it would be a cooperative effort between the Canadians, Alaska Department of Fish and Game, Fish and Wildlife Service, the local village corporations, and Doyon. They'd all have to work together to do it. Right now it's just a concept and idea that we're exploring.

13

14 MR. LEE TITUS: Okay. Because I -- the reason I asked because I heard of a similar program that was going to -- maybe it's the same one, but I talked to a couple of residents from Fort Yukon and they were -- that was probably the one they were talking about.

19

20 MR. HEUER: Yeah, it's the same one.

21

22 MR. LEE TITUS: Oh, okay.

23

24 MR. CHARLIE TITUS, JR.: Mr. Chairman, what's the benefit of this program or what does it do?

26

27 MR. HEUER: The benefit is that we believe there's pretty strong evidence, very strong evidence that Wood bison used to exist on the Yukon Flats and, for some reason, they disappeared and nobody knows exactly why they disappeared. But it would be reintroducing a species that used to occur. Currently, Wood bison are considered an endangered species, so we'd be helping out an endangered species. The Wood bison populations are such right now that they're considered a threatened animal in Canada. If we could get another population here in Alaska and build it up to a sufficient level, they would -- the plan is to get them de-listed and off the endangered species list. And, eventually, it would be a sustainable resource. There would be seasons. I mean, that's long-term we're talking about. And the other thing is that we kind of feel that Wood bison would be filling an niche that's not occupied right now. We really don't have any big grazing animals on the Yukon Flats.

44

45 MR. LEE TITUS: Any more questions?

46

47 MR. STARR: Mr. Chairman?

48

49 MR. LEE TITUS: John?

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1
2 MR. STARR: What happened to these Delta herds in Delta
down here?

4
5 MR. HEUER: To the what?

6
7 MR. STARR: The Delta herds, the bison?

8
9 MR. HEUER: Okay. The Delta herd is -- they're called
Plains bison. It's a different subspecies of animal than the
ones that we're talking about. Plains bison weren't native to
Alaska and, you know, if we could go back in history and do
things over, it probably would have been Wood bison that we
would have brought in the state the first time around.

15
16 MR. STARR: We were talking about that on our ride
coming up. I was bringing it up, anyway. And I was thinking
about, you know, when there's a lot of snow, I can't see how
they can survive.

20
21 MR. HEUER: Wood bison don't -- or any kind of bison
don't do real good where you have deep snows. That's one of
the things that's attractive about the Yukon Flats is we don't
get real deep snow buildup. They can handle up to 30 inches
of snow as long as it's lightly packed, you know, and not real
hard-packed snow. So, even though it's very cold in the Yukon
Flats, they do exist in places in Canada where they have
similar amounts of snow and similar temperatures.

29
30 MR. LEE TITUS: Any more questions? Any more reports?
David?

32
33 MR. JAMES: Mr. Chair, I do have a few items to cover
on behalf of the Arctic Wildlife Refuge. First of all, the
Refuge has a new manager, fairly new, Jim Kurth and one of the
programs that he's identified for the Refuge that he devotes a
great deal of attention to is communication and rapport with
the villages that are most closely associated with the Refuge:
Kaktovik up on Barter Island, and Arctic Village. He's made
at least two trips that I know of up to Kaktovik to meet
informally with people and discuss issues. Last week, he and I
traveled to Arctic Village, spent a couple days up there
talking about various issues, and getting to know people. And
one of the issues that took a lot of discussion to get through
has to do with sheep, but that will come up later, shortly with
the sheep proposal so I'll wait and talk about that then.

47 The other thing concerning the Refuge up there that may
be of interest is that there is some concern right now over
moose in the Upper Porcupine River Drainage, both by agency
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folks and by local folks. Many of the local people who hunt up there are starting to worry about the effect of fly-in hunting for moose that goes on up in the upper drainages to the north along the flank of the Brooks Range. The question is does the hunting up there affect where we hunt just downriver, closer to the mainstem of the Porcupine. Agency folks who watch that area have noted a definite increase in fly-in hunting and some data anyway indicate fewer moose in some of those areas than used to exist. But the truth is we simply don't know if that whole area should be managed as one whole moose population or if we're talking about two or several groups. Therefore, the Refuge plans to initiate a study to answer that question. They're going to put out 60 radio collars, follow these moose for two to four years, and the information they get from that is going to be very critical in deciding how to manage that group of animals.

17

18 One last item, it's a very short one because I don't have much background, but it has to do with caribou and I understand Alaska Fish and Game just released these figures; that the Porcupine Herd, now the numbers in that herd are 232,000, and it's my understanding that's down from about 289,000 in 1989. And I don't -- perhaps Jim Woolington might be able to provide more background on that; I certainly can't. But I was asked to pass that along to you. And that's all I have for the Arctic Refuge.

27

28 MR. STARR: David, can I -- you know, on these guiding camps up there in the Brooks Range, you can tell how many camps are up there or....

31

32 MR. JAMES: John, I'm not very knowledgeable about that. Having just started in this position last August, I'm not familiar. But it goes -- it's more than just guiding. It's fly-in hunting meaning, you know, like air-taxi or charter and stuff. So, I just don't have those figures with me. But at least the situation is receiving some attention now and it's going to be watched more closely and it may be soon that regulatory action has to be taken.

40

41 MR. LEE TITUS: Is that on Federal land?

42

43 MR. JAMES: That's on Refuge land.

44

45 MR. LEE TITUS: Refuge land? Oh, okay. Yes, Charlie?

46

47 MR. CHARLIE TITUS, JR.: Mr. Chairman, I was wondering, you know, Alaska has one of the biggest Federal Refuges in the whole United States. What are you doing, or how much of your

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Budget goes into enforcement? You know, we hear a lot of things about -- nobody likes to be regulated out of existence, But we know there's a lot of illegal activity taking place all the time. But are we -- is the Federal -- are you doing anything about it? Is the Fish and Wildlife Service doing anything to protect the....

7

8 MR. JAMES: Boy, I'm striking out today. I just don't have the information at my fingertips. There are enforcement staff with the Arctic Refuge. You know, people that carry badges. They do make patrols up there. How many and when? How often? I just -- you know, I don't know. I'm not that familiar with it, Charlie. And, also, of course, there's also coverage by Fish and Wildlife Protection with the State. But, again, I don't know. I don't think the place is exactly crawling with enforcement activity.

17

18 MR. CHARLIE TITUS, JR.: You still didn't answer my question. How much of your budget goes into enforcement?

20

21 MR. JAMES: I can't. I don't know.

22

23 MR. CHARLIE TITUS, JR.: I was just wondering about it because it's an awful lot of land.

25

26 MR. HEUER: You know, I certainly couldn't answer for the Arctic Refuge, but for the Yukon Flats, we get about \$5,000 a year for law enforcement, basically to pay for aircraft time. We have right now three people on the staff that have law enforcement authority. You know, we try to respond to calls that we get if people call and make a complaint about something; we try to respond to that. And we do some routine patrols during the moose season and, you know, other periods when we have high use, and that's about the extent of it, really.

36

37 MR. LEE TITUS: Randy?

38

39 MR. MAYO: Yeah, the next time they come out, stop by and pick me up so I can go for a ride. Among other things, I wanted to ask, you know, if your office -- I saw an article where Washington, you know, came up with a list of parts of agencies that tribes can contract. And, you know, do your agencies get any more direction on that, the contractible parts of, you know, some of these agencies?

46

47 MR. HEUER: There was a memo that came out from the Washington office identifying certain types of activities that would be contractible, but we really haven't had any more

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guidance than that. It's something that we have a lot of questions about ourselves right now.

MR JAMES: I might just add to that, too, that when you get into the proposal discussion and we get on the Dall River issue, there's a little bit more information that's relevant to that.

MR. LEE TITUS: Any more questions? Selina?

MS. PETRUSKA: David, did you guys collar all those moose you said you were going to do on the Yukon Flats?

MR. JAMES: Are you asking about the 60 moose that I first mentioned?

MS. PETRUSKA: I thought you said 30. Was it 30?

MR. JAMES: Okay. If you're talking about the moose -- the proposed moose study for the Yukon Flats,....

MS. PETRUSKA: Yes.

MR. JAMES:yeah, it was proposed to put out 30 collars in the first year.

MS. PETRUSKA: You guys already did that?

MR. JAMES: Oh, no, no. We don't even have the money to do it. It's just an idea right now.

MS. PETRUSKA: Okay. And what....

MR. LEE TITUS: Thirty-five moose collars, right, or 35 moose?

MR. JAMES: We just put one collar per moose, so that's....

MR. LEE TITUS: I know. I know, but you're talking about....

MR. JAMES: I joke, I joke.

MR. LEE TITUS: You're talking about 35 collars, right?

MR. JAMES: Well, 30 the first year.

MR. LEE TITUS: Thirty the first year.

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2 MR. JAMES: You know, actually that study would put
3 collars on adult moose and then at calving time, we put small
4 pop-off collars on calves to document the mortality.
5
6 MR. LEE TITUS: Okay.
7
8 MS. PETRUSKA: I have another question. On that Wood
9 bison,....
10
11 MR. LEE TITUS: Speak in the mike, Selina. Speak in
12 the mike.
13
14 MS. PETRUSKA: On that Wood bison, just about how many
15 are you guys going to bring in? Because I don't want to be
16 sampled down. No, I'm kidding.
17
18 MR. JAMES: I'm sorry, Selina, I didn't pick up your
19 voice in the mike. Could you....
20
21 MS. PETRUSKA: Oh. I asked about the Wood bison.
22 About how many are you guys going to bring in?
23
24 MR. HEUER: There really hasn't been a number that's
25 been decided upon. Actually, you know, it's just an idea right
26 now and we'd have to come out to all the villages and we -- the
27 plan would be to develop a cooperative type management plan
28 before the first bison was brought out and everybody would have
29 put into how many bison and where and what level we'd let
30 them achieve and so on. So, just conceptually, we'd
31 probably -- you know, 50 to 100 bison the first year.
32 Something like that.
33
34 MR. WOOLINGTON: Thirty to 35.
35
36 MR. HEUER: Okay. Jim says 30 to 35 the first year,
37 -- and then there'd be successive transplants if there was
38 money to do it.
39
40 MR. LEE TITUS: Any more questions?
41
42 MR. CHARLIE TITUS, JR.: One last question. I'm always
43 curious about the Yukon Flats. What -- you guys might probably
44 refresh my memory. What was the cause of the decline in the
45 moose population? How much moose is out over there in that
46 area?
47
48 MR. HEUER: That's a good question and nobody really
49 knows the answer to that. Every biologist that I've ever
50

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talked to that's been in the area says you guys ought to have a lot more moose. The food is here, the habitat looks great, but the density is just real low and it's been low for long time. We've done wolf surveys in the area. It's a fairly low-density wolf population, too. So, I'm sure that there's probably a combination of things that are keeping the animals low right now. Probably predation and human harvest, but we don't think habitat is a limiting factor right now.

9

10 MR. CHARLIE TITUS, JR.: I know because it always strikes me as something is wrong because it's a such a vast area over there and the population, the year-round population is pretty small. So there's got to be some impact somewhere that's causing this decline.

15

16 MR. HEUER: Yeah, like I say, nobody knows. We did a real thorough census in 1992 and we came up with a population estimate of about 600 moose in a fairly huge area, and if you allow for a 5% harvest, you're talking about 30 animals a year between the three villages and that's a fairly small number of moose. So, you know, right now our goal is to work with the villages and ensure that -- try to keep that 30 animals as our goal and not go over that goal. Bulls, I should say; not just animals. And work with the local villages and continue to do studies and see if we can find out, you know, what the reason is and, hopefully, work together to build the population back up. But we just don't have the answers right now.

28

29 MR. LEE TITUS: Any more questions? Thank you. Thank you, Dave. Before we go any further, we'll take a 15-minute break. We're going to have a late lunch today, so we'll probably come back and do a little more work.

33

34 (Off record)

35 (On record)

36

37 MR. LEE TITUS: We're on Fish and Wildlife Service. Is there any more staff to report on Fish and Wildlife Service? If not, we can go on to....

40

41 MR. MATHEWS: Mr. Chairman, I just wanted to relay that the Refuge manager for Tetlin felt that they had covered all their issues yesterday. That was Sue Matthews. So, she informed me that they would not have a report today.

45

46 MR. LEE TITUS: Okay. Thank you. We're on to the Bureau of Land Management. Report on the BLM?

48

49 MS. GRONQUIST: I'm Ruth Gronquist with the Bureau of

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Land Management, Steese-White Mountains District. All of the lands that our district manages are within the boundaries of the Eastern Interior Regional Advisory Council area. One of our primary concerns right now is the Fortymile Caribou Herd and we're committed to help building the Comprehensive Plan that Craig talked about yesterday. We're concerned about providing for subsistence harvest from the Fortymile Caribou Herd. When we built the team that's working on this management plan, we attempted to have members on the team that represented all of the villages and the land managers.

11

12 I understand that you were told at the last meeting who those team members were, but if you have any questions about who is actually on the team, between those of us who are here that are on the team, I think we can come up with everybody's name.

17

18 Later on today you'll be addressing four proposals that affect subsistence hunting on Steese-White Mountains managed lands, and I'll be available to answer any questions you might have from the BLM perspective. You may remember that last year one of the proposals that was supported by this Council and I believe it was even supported without amendment was to establish a permit -- a registration permit hunt on the White Mountains Caribou Herd, and that was passed by the board. One of the things we were interested in was being able to look at subsistence harvest on the White Mountains Herd through having a permit. That season, the winter season, is the season we wanted to target to look at and that season begins the 15th of February and ends the 15th of March. As of two days ago, no permits had been requested by anyone. Formerly, it was a harvest ticket. And our rangers have reported that the only people they've seen out there hunting are the people who have State drawing permits from the State lottery.

35

36 In the interest of being brief so that you can cover all the business you have yet to do, that's the end of my report. If you have any questions,....

39

40 MR. LEE TITUS: The permits you're talking about, is that an 804 permit or a Tier II or....

42

43 MS. GRONQUIST: No, it's just a Federal registration permit, similar to those that are issued for the Fortymile Caribou Herd.

46

47 MR. LEE TITUS: Oh, okay.

48

49 MS. GRONQUIST: The difference being in the

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Fortymile -- or the Fortymile Caribou Herd there is a C&T
 determination that says who is a qualified subsistence user.
 For the White Mountains Caribou, anybody who is a Federally
 qualified subsistence user, meaning all rural residents, can
 hunt in the White Mountains. Winter hunt.

6
 7 MR. LEE TITUS: Okay. Do you get a lot of those
 permits in the fall hunt?

9
 10 MS. GRONQUIST: They are -- permits for the White
 Mountains?

12
 13 MR. LEE TITUS: Um-hum (affirmative). For the White
 Mountains.

15
 16 MS. GRONQUIST: There is no permit for the fall
 hunt....

18
 19 MR. LEE TITUS: Oh, okay.

20
 21 MS. GRONQUIST:either for the State or the Federal
 hunt on the White Mountains Caribou Herd. It's done under a
 harvest ticket.

24
 25 MR. LEE TITUS: Oh. Charlie?

26
 27 MR. CHARLIE TITUS, JR.: Question. I pass that area,
 oh, at least once a week. It seems like there's a lot of
 activity up there. I was wondering what was going on. I
 always see your agency up there, too. The BLM is up there all
 the time. It seems like it's pretty popular up there. What's
 going on up there?

33
 34 MS. GRONQUIST: In the White Mountains, you mean?

35
 36 MR. CHARLIE TITUS, JR.: Yeah.

37
 38 MS. GRONQUIST: It is very popular and the primary --
 probably what most activity you're seeing is recreational
 activity, people going out dog mushing, snow-machining, cross
 country skiing. There are several cabins that our recreation
 staff have built and those are available for public use. So, I
 think a lot of what you're seeing are people who are out there
 just playing in the snow. And there are also a couple of
 happers.

46
 47 MR. LEE TITUS: Randy?

48
 49 MR. MAYO: Yeah, I also drive past this -- travel that
 50

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road a lot and there's a trail at Tolovana, you know, and I've seen it over the years. It used to just be a small trail and over the years it's like a major right-of-way right now. And, you know, how I understand things work, you know, one thing justifies the next and, before you know, it the agency or the State will probably want a right-of-way and build a road right into the White Mountains, you know. Like in my area with all these old Cat trails that were punched through by miners, you know, this whole issue of RS-2477, it's just one step justifying the next, you know, and we're really concerned in our areas about these illegal rights-of-ways.

12

13 MS. GRONQUIST: I'm not real familiar with RS-2477. I think that those trails have to have been in existence at some historic -- or time, which may have only been 10 or 12 years ago. I'm not -- maybe they have to have been existing before 1976. And I don't know if the trails you're talking about would be a candidate for that. I don't -- DNR has maps showing which trails have been requested to become right-of-ways under this -- under RS-2477, and we could find that out. There are no plans now for it to become a major -- anything more than a trailhead.

23

24 MR. MAYO: Well, I was just mentioning it, that I noticed over the years, it's turning into a major right-of-way. It's a road, in fact, without a road bed right now, you know.

27

28 MR. LEE TITUS: Any more questions? Are you familiar with the Tolovana Hot Springs area?

30

31 MS. GRONQUIST: No, not....

32

33 MR. LEE TITUS: Oh, okay.

34

35 MS. GRONQUIST: Not really.

36

37 MR. LEE TITUS: Did BLM have a partial portion of....

38

39 MR. CHARLIE TITUS, JR.: They have -- gee, I forgot how many -- 80 acres around that hot springs?

41

42 MR. LEE TITUS: Is anybody familiar with the Tolovana Hot Springs? BLM has about 80 acres or something down in that area?

45

46 MS. GRONQUIST: We're speculating that that's Kobuk District. No one from that district came down, and I apologize that I can't....

49

50

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1 MR. CHARLIE TITUS, JR.: How can that be Kobuk....
2
3 MR. LEE TITUS: No, it's right in the Minto Flats area.
4
5 MS. GRONQUIST: That's Kobuk District.
6
7 MR. LEE TITUS: Really?
8
9 MR. ROACH: Kobuk goes from Fairbanks, west.
10
11 MR. LEE TITUS: Oh, okay.
12
13 MS. GRONQUIST: Do you have some questions you want us
14 try to....
15
16 MR. CHARLIE TITUS, JR.: I have a question about,
17 Chairman.
18
19 MS. GRONQUIST:forward to the board or the
20 uncil, rather?
21
22 MR. CHARLIE TITUS, JR.: When you give out leases, how
23 long are those leases? Depends -- I heard this gentleman from
24 Fairbanks has a lease on this Tolovana Hot Springs. And how do
25 you -- it seems like he's got it locked up for, oh,
26 generations. It's right near, close to our area, and it's
27 affecting the Minto people a lot and they're concerned about
28 it. I just wanted to find out from the BLM what's the
29 background on this.
30
31 MS. GRONQUIST: Is that something that you would like
32 to research for your next meeting? Because I don't have
33 that information now.
34
35 MR. LEE TITUS: Yeah, I'm just surprised that it's in
36 the Kobuk District because it's within our -- the Western
37 Interior.
38
39 MS. GRONQUIST: Well, we don't -- the Steese-White
40 Mountain District doesn't have any land within the Western
41 Interior area.
42
43 MR. LEE TITUS: Okay.
44
45 MS. GRONQUIST: And I know that the Minto Flats area is
46 within the Kobuk District.
47
48 MR. LEE TITUS: Okay. Yeah, maybe we can do more
49 research on that. What Charlie, Jr. is talking about is that
50

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the BLM -- 80 acres of BLM land that's within the boundaries of the Native corporation lands and there's an individual that's leasing the 80 acres from the BLM for the purpose of building possibly a resort because there's a hot springs in that area.

5
6 MR. ROACH: Mr. Chairman?

7
8 MR. LEE TITUS: Yes, Jeff?

9
10 MR. ROACH: Just quickly. The BLM in the northern areas is going through a re-districting right now and it appears that what will happen is that all of the BLM lands in the Interior will fall under one large district, the Northern District Office. And in the future, hopefully, that will help coordinate activities on BLM lands throughout this whole region.

17
18 MR. LEE TITUS: Okay. All right. Any more questions?
19 Do you have a comment?

20
21 MR. DAVE YOKEL: Thank you, Mr.....

22
23 MR. STARR: Is -- I was looking at -- it looks like everywhere there's a hot springs, it's taken up by Federal or like BLM or reserves. All the hot springs in the Interior.

26
27 MS. GRONQUIST: I can't really answer to that. I know that we have one small hot spring on Steese-White Mountains, the current Steese-White Mountains District lands, and it's actually designated as a resource natural area which means that it's not -- it's got some level of protection, but it's not being -- that won't be developed for recreation, specifically not like -- you're speaking about Tolovana Hot Springs.

34
35 MR. LEE TITUS: Did you have....

36
37 MR. YOKEL: Thank you, Mr. Chair, Council. My name is Dave Yokel. I'm the wildlife biologist for the BLM's Arctic District, as it currently stands. In answer to your previous question about why that area is the Kobuk District, when the BLM has management in a state, they divide the entire state into districts. So, the entire State of Alaska falls -- every part of it falls within some BLM district, even though most of that land may not be BLM land. The Tolovana Hot Springs, I'm pretty sure, does fall within the boundaries of the Kobuk District, even though it's a long way from the Kobuk Valley. That's just the name that was given to that entire district.

48
49 The Arctic District overlaps the Eastern Interior
50

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Region only in a couple of small areas, both along the Dalton Highway north of the Yukon River. The one area is at the southern portion there along the -- just north of the Yukon River in GMUs 25(F) and 25(D), and then also up just south of Atigun Pass in the northwest corner of GMU 25(A). I don't have any new issues to bring before this Council today that are really relevant to this Council. The only thing new that has happened in that area this winter is the State has opened the Dalton Highway to non-commercial traffic. It was previously officially closed to non-commercial traffic from the Dietrich Valley north; although, that closure was not enforced. Now that closure no longer exists. It should have no impact on the subsistence users of this region because none of those users hunt along that highway north of where that closure used to be. The people of Stevens Village, their traditional use area does include the southern portion of the highway around the Yukon crossing, but that has been opened to non-commercial traffic for several years already. So, that's all I had to say. If you have any questions, I'll try to answer them.

20

21 MR. LEE TITUS: Anybody has any questions?

22

23 MR. YOKEL: Thank you.

24

25 MR. LEE TITUS: Thank you. Do we have any more staff reports on BLM? Anybody from the public has any comments? Questions? If not, we'll move on to the Alaska Department of Fish and Game.

29

30 MR. MORRISON: Thank you, Mr. Chairman, and board members. I'm John Morrison with the Wildlife Conservation Division of the Department and I'm serving as the statewide coordinator for State-Federal Subsistence Regulations. As I mentioned the other evening, the Department is currently in a state of change over issues related to subsistence, specifically in the policies that we might follow in future dealings with the new governor and his administration, a pretty large change in representation to the legislature, a new commissioner of the Department, and possibly some new directors. Certainly, a new director for the Wildlife Conservation Division. It's difficult to say what new path we might follow in working with this issue. One thing that undoubtedly will continue, however, is the policy we've been following of having Department personnel attend these council meetings for the benefit of answering any questions that council members might have about the Department's policies and programs and regulations, plans, and so forth. We're very interested in working as closely as we can with the councils and with the Federal agencies and the Federal Subsistence Board

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to try to alleviate the problems that have come out of this dual management situation that has got us all kind of confused and frustrated.

4

5 One thing I'd like to repeat is our strong belief that through different kinds of cooperative efforts, we can get a lot further with this problem. The Fortymile Caribou Management Team is a good example. We have one on the Lower Yukon, a moose management plan. There are two or three others shaping up around the State that we would like to think can get around a lot of these regulatory problems and questions and get everybody working together for more satisfactory, mutual benefit. That's all I have as a general statewide position. There are three other folks from the Department here from this area that will add some details about things going on within the Council's region: John Burr from the Fisheries Division in Fairbanks and Jim Woolington from the Wildlife Division in Fairbanks, and then Craig Gardner you know who's the local area biologist in Tok.

20

21 Jim Woolington, I might call on you next to start this off.

23

24 MR. WOOLINGTON: Jim Woolington, Fish and Game from Fairbanks. Mr. Chairman, and Council members. Bob Stevenson, the area biologist for the Fort Yukon area, was unable to attend this meeting, and I'm the assistant area biologist for Wildlife Conservation Division for the Fort Yukon area. Bob asked me to come. I don't have any specific reports, other than I do have the written reports that Ted Heuer commented on as far as the moose surveys we did last fall. I also have several copies of the feasibility assessment that Bob Stevenson prepared for the idea about re-introduction of Wood bison onto the Yukon Flats, and I'd be happy to pass those out to the Council members. I also have -- Bob sent along a few pictures of Wood bison if anybody's interested in taking a look at them.

37

38

39 One thing I might clarify. Somebody had a comment about how they would survive up in this country. Wood bison are -- although they're similar in appearance, behaviorally, they're different from the Plains bison that you see down at Delta or out at Farewell or on the plains in the lower U.S. They're well-adapted to living in the northern areas up here and can deal with 30 inches of snow pretty easily. They have a big massive head that they just push it aside and then graze on the grasses, meadow type grasses. Areas in Canada that receive quite a bit more snow than the Yukon Flats, they're doing very well. They co-exist with moose quite well in those areas,

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also. As Ted mentioned, they are presently considered an endangered species occurring in Canada and one of the reasons why the Canadians are interested in seeing a population established in Alaska is it gives them sort of a safety net as far as their population; it gives another group of them that are established away from what they have. If there's any questions about genetic diversity or whatever, they -- or -- it's just another place where they can occur. And, according to the Canadian experts, it looks like the Yukon Flats is the last large place, northern place, that the Wood bison could be put into. You -- they are very adamant about not putting them into an area where there are cattle or Plains bison because of some of the disease problems that Plains bison might have or that cattle do have. So, they want them to be in a place that's isolated from cattle or other bison. So, if there's any specific questions on Wood bison? Again, it's an idea that has a great deal of merit and it's in the stages that -- it's an idea now and Fish and Wildlife Service people and Fish and Game people are talking to other people about whether it would be a good idea to do it. There's nothing in the works to do it at this time. It's in the talking and thinking stage.

22

23 MR. LEE TITUS: Any questions?

24

25 MR. WOOLINGTON: Thank you.

26

27 MR. LEE TITUS: Thank you. Do we have any more reports from the Fish and Game?

28

30 MR. JOHN BURR: I'm John Burr. I'm newly appointed as an area biologist for sport fish division for the Yukon River Drainage and for the North Slope. And I just wanted to use this opportunity to introduce myself. Most of the sport fish issues occur next to the large population centers and along the road. The reason I'm here today is primarily because of Proposal 55 which was introduced by people from Stevens Village, and I welcome the opportunity to help out in any way I can with information on that proposal and will be talking about that more this afternoon. So,....

40

41 MR. LEE TITUS: So, you'll be available for questions when we go through the proposals?

42

43 MR. BURR: Yeah, I'll be here.

44

45 MR. LEE TITUS: Oh, okay.

46

47 MR. BURR: Any other questions?

48

49

50

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1 MR. LEE TITUS: Well, since you're newly appointed,
2 we'll let you go.

3
4 Audience laughter)

5
6 MR. GARDNER: I'm the newly appointed area biologist.
7 Craig Gardner, the area biologist in this area. There's just a
8 couple quick things I wanted to bounce off. One was a proposal
9 that actually we're putting in to the State system that would
10 affect the subsistence hunters in this area and I just wanted
11 to kind of describe it. But, mainly, I put in a proposal to
12 allow the taking of spike-forked moose in August, from August
13 20th to the 27th. And, like I say, this is for spike-forked
14 moose only. It'll just give people the opportunity to hunt,
15 you know, that earlier time and hunt them on the potholes, you
16 know, along the roads and such. And the reason why I put in a
17 proposal to stop the season three days before the normal moose
18 season is so we don't want a lot of people basically coming
19 into the area and just hunting, you know, that entire period.
20 There will actually be a three-day break, you know, so it
21 should protect the local moose population and cause a reduction
22 of enforcement problems. And I think, you know, just have a
23 nice little early moose hunt for people. But that's about the
24 only proposal I'm putting in this time. It will kind of affect
25 subsistence users.

26
27 And the other one, I guess, is that kind of maybe asked
28 for the hot seat back from Lee is that since I do live in this
29 area and there are some pretty complicated regulations with
30 State and Federal management and, you know, there are some
31 hints that do cause problems with the people here, I guess I'm
32 asking more for -- you know, mainly from Chuck, probably Lee,
33 and Jeff, you know, other ideas of how the State hunt can be
34 done. You know, they can. You know, I'm willing to work. You
35 know, I do have State mandates that I have to follow, but I
36 don't feel like they have to be -- you know, they preclude
37 any kind of a subsistence use of the resource or, you know, a
38 local subsistence use of the resource. You know, so I'm very
39 open to ideas. And I know the Nelchina Caribou hunt in
40 Northway is one that is a little more controversial, you know,
41 for the Northway people. But, like I say, you've got me
42 sitting right here, so if you -- even from other areas, if you
43 guys have figured out some techniques, like I said, I'll
44 listen.

45
46 MR. LEE TITUS: Do you have any questions? Vince?

47
48 MR. MATHEWS: Mr. Chairman, when you do take up Federal
49 proposals, you do need to look at the proposal that you

50

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submitted to the Alaska Department of Fish and Game, the State Board of Game. So, remind me when we get to proposals. That was your petition to establish a beaver season and that was converted to a proposal which is before the State Board in March, so I think you need to take a look at that, and that's under Tab 10. So, when we get into proposals, hopefully we will remember to address that. Thank you.

8

9 MR. LEE TITUS: No questions? Golly. Next on the agenda is other agencies or Native corporations. Or, did you have a....

12

13 MS. SATIVA QUINN: My name is Sativa Quinn from the TCC Wildlife and Parks Department, and I'm going to talk real briefly about our work in this area. There's really only one formal ongoing project that involves the Eastern Interior, and that's a big game harvest survey. It's been going on for two years now. This is a three-year project overall and we've got that at the moment for November '92 through November '94, one more year, and then at that point it will be -- we'll have the final thing and we'll be turning it into a publication.

22

23 Right now I'm working with the first two years of information and I'll be sending that data to the councils for the villages that are involved. From this area, that's Tetlin, Northway, and Tanacross. And the species involved are moose, caribou, black bear, brown bear, and sheep. And that's all we've really got to say about it, unless there's specific questions.

30

31 MR. CHARLIE TITUS, JR.: One question. Are you taking all your information from the village itself, right?

33

34

35 MS. QUINN: Um-hum (affirmative). We've hired local....

37

38 MR. CHARLIE TITUS, JR.: There's statistics?

39

40 MS. QUINN: I'm sorry. Finish....

41

42 MR. CHARLIE TITUS, JR.: All your data and all your statistics, numbers, and taking them right out -- directly out of the villages, right?

45

46 MS. QUINN: Um-hum (affirmative). We've hired someone in each community who does a household-to-household survey once every two months and they're just -- they've come up with their own numbering system for the households. So, what comes in to

50

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he is completely anonymous. It's just when and where the animals were taken. Any other questions?

3

4 MR. LEE TITUS: The funding for the program, where did the funding for the program come from?

6

7 MS. QUINN: It comes from U.S. Fish and Wildlife Subsistence Division and our contacts....

9

10 MR. LEE TITUS: It's a four-year program?

11

12 MS. QUINN: It's a three-year program.

13

14 MR. LEE TITUS: Oh, three-year program.

15

16 MS. QUINN: Yeah, three-year and there's one year to go by November of this year will be -- October-November of this year will be the last survey.

19

20 MR. LEE TITUS: Okay. Do you have results of this available to the communities?

22

23 MS. QUINN: I don't really have anything with me because I wasn't expecting to do this presentation today. I will be sending results of the first two years to you very soon. I think we went through this last time....

27

28 MR. LEE TITUS: Oh, okay.

29

30 MS. QUINN:I was down here and we had the 16-month information. Did you ever get that? I think....

32

33 MR. LEE TITUS: No, I probably wasn't here.

34

35 MS. QUINN: Yeah, I can -- I'll address that to you and should be coming pretty soon.

37

MR. LEE TITUS: All right. Any more questions? Hearing none, I guess....

39

40 MS. QUINN: Okay.

41

42 MR. LEE TITUS: Thank you. Did you have a question, since?

44

45 MR. MATHEWS: No. No, I don't. You may just want to see if there's any other corporation or village council representatives that may want to share something with the council.

49

50

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1 MR. LEE TITUS: Anybody -- other agencies or anybody
 2 from the public wants to say anything at this time? Everybody
 3 must be hungry.

4
 5 MR. CHARLIE TITUS, JR.: Mr. Chairman?

6
 7 MR. LEE TITUS: Charlie?

8
 9 MR. CHARLIE TITUS, JR.: I have a question maybe for --
 10 's been bothering me for the last -- for quite awhile. On
 11 this C&T -- maybe Vince got a good -- on these proposals, why
 12 are we making recommendations on these proposals when we never
 13 determined the C&T issue first? Are we putting the horse
 14 before the wagon or something like that? Or just in case?

15
 16 MR. MATHEWS: The C&T issue for Upper Tanana-Fortymile
 17 or Upper Tanana Region is going to resurface later today.
 18 There needs to be a firm clarification of the motion that was
 19 passed last night, and then I've heard discussion amongst
 20 members that they want to look at the alternatives. So, I
 21 don't think we want to take that on before lunch.

22
 23 MR. CHARLIE TITUS, JR.: No, I was just wondering about
 24 that.

25
 26 MR. MATHEWS: Anything that you have done this full
 27 meeting is available to be brought back up again before closure
 28 and I believe the C&T thing will be back again at this meeting.

29
 30 MR. LEE TITUS: Would the copies of your studies be
 31 available to the Council members?

32
 33 MS. QUINN: Sure. I can send as many as you want and
 34 send them to....

35
 36 MR. LEE TITUS: Okay.

37
 38 MS. QUINN: I can send you a couple so that you'll have
 39 them for the village council and also for the Eastern Interior.

40
 41 MR. LEE TITUS: Okay. Because I think it will be good
 42 information for the Council members, especially when they have
 43 to deal with C&T up in this area. You do all the villages like
 44 Tetlin and Tanacross?

45
 46 MS. QUINN: Like I said, for this area, it's just those
 47 three: Tetlin, Tanacross, and Northway. And I did add a
 48 question to the survey that's here about meat sharing which the
 49 results from that might end up being relevant to the C&T

50

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Process. I hope so, because I know that's been one of the
criteria for a long time. We can talk about that further.

3

4 MR. LEE TITUS: Okay. Any more questions? Oh, Vince?

5

6 MR. MATHEWS: Oh, I was just going to give you some
direction on the agenda.

8

9 MR. LEE TITUS: Okay. So, we're -- maybe we can just
move on to the next item, the Regional Council Members
Nomination Update.

12

13 MR. MATHEWS: Sure. As you know, the nominations --
excuse me. The Council is made up of nine members and they're
appointed by the Secretary of Interior with concurrence of the
Secretary of Agriculture. That open period for nomination --
nominations closed on February 28th. As of several days ago,
there may be some other applications that have come in that
I'm not aware of, but it was agreed to provide the Council with
a list of names of who has applied so you have an idea. I'm
going to have to qualify a couple of these individuals on here
because I think someone put them in the wrong spot, but I'll
just go down the list for Region 9, Eastern Interior. So far,
according to this list, is Mayron or Myron Lockridge from
Eennallen, and he -- that's one. And then Al Rofus of Copper
Center. Now, Copper Center is not within your region, so I
think that one needs to actually be in Region 2, but -- because
you have to be a resident of the region to qualify to be a
potential candidate, I should say. Steven Ginnis of Fort
Yukon, Frank Entsminger of Tok, Brian Simpson of Eagle, Robert
Pyroski - did I pronounce that right? - of Fairbanks, and
Clifford Luke of Fort Yukon are the ones that are listed so
far, but there may have been other applications that came in up
to the 28th or may have been postmarked the 28th

35

36 The next step of this, is there will be a panel of the
agencies, a representative of the agencies of the region and
they'll be going through the nominees, calling on references,
and et cetera, and they'll be coming up with a recommendation
of who to fill for the three seats that you have open. The
three seats that are up on your Council are seats four, five,
and six, and they're held by your Chair, Lee Titus, Bill
Biris, and Steven Ginnis. So, those are the three seats that
are up. And that's it for the update on the nomination.

45

46 MR. LEE TITUS: Steve Ginnis, Frank Entsminger,
Clifford Luke, and who else did you say?

48

49 MR. MATHEWS: Robert Pyroski, Brian Simpson, Frank

50

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Entsminger, Steven Ginnis are the ones that -- in addition to the other two for -- are submitted nominations.

3
4 MR. LEE TITUS: Just for information to the rest of the Council members, whoever is appointed will -- this will be -- come in effect at our next October meeting, right?

7
8 MR. MATHEWS: Hopefully, if the Secretary signs off on that. But the members that are sitting on the Council serve until they're replaced.

11
12 MR. LEE TITUS: Oh.

13
14 MR. MATHEWS: I think Dave has something that I might need clarification on.

16
17 MR. LEE TITUS: Okay. Dave?

18
19 MR. JAMES: Mr. Chairman, two quick points. First of all, the name from Glennallen wouldn't qualify.

21
22 MR. LEE TITUS: Right. And the Copper....

23
24 MR. JAMES: That's probably pretty obvious. The second
25 the situation of last week before the deadline, I had an
26 expression from Timothy Sam of Arctic Village who is on the
27 Yukon Flats Advisory Committee that he intended to apply for
28 the Council and I told him that -- I didn't know that the 28th
29 was the closing date. But he did talk to me on the -- well,
30 the 27th, it would have been. So, there's a situation -- I
31 don't know if you're going to hold to that hard and fast, but
32 not, we would need to get an application up to him and get
33 that taken care of.

34
35 MR. MATHEWS: Right, I think the indication I get is
36 we're not hard and fast on that, so Dave's going to have to
37 remind me on this. But it's not, to my knowledge, real hard
38 and fast, obviously, if someone comes forward March 15th and
39 says I want to apply, then, you know, that's not reasonable.
40 And his may be in the pile at the office. I don't know.

41
42 MR. JAMES: (Shakes head "no")

43
44 MR. MATHEWS: No, it's not. But there may be other
45 ones. And that is -- unless there's questions on the
46 nomination update, that covers that.

47
48 MR. LEE TITUS: Okay. Any questions about the
49 nomination process?

50

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1
2 MR. ROACH: I have just one and this is a clarification
3 for the members here on the board -- or on the Council. And
4 correct me if I'm wrong on this, Vince, but it's my
5 understanding that even if you are sitting on this Council and
6 your seat comes up, you need to apply....

7
8 MR. LEE TITUS: Yes.

9
10 MR. ROACH:to fill that seat again for the next
11 term. So, if your seat is up and you want to continue to be on
12 the Council, you need to get an application in, otherwise you
13 won't be considered.

14
15 MR. MATHEWS: Correct. That's correct.

16
17 MR. LEE TITUS: Right. Yeah, I just sent mine in a
18 couple of days ago.

19
20 MR. MATHEWS: Oh, well, let me -- well, it's sitting
21 there, but it's now on the record that you did, so we -- the
22 mail could have lost it.

23
24 MR. LEE TITUS: Yeah, it takes a long time for a letter
25 to get between here and Anchorage.

26
27 MR. MATHEWS: We've noticed it takes a long time to get
28 mail around Anchorage, so....

29
30 MR. CHARLIE TITUS, JR.: Vince, how about resigning?
31 How do you go about that if you wanted to?

32
33 MR. MATHEWS: Oh, on resigning? That's a valid point.
34 The best way to do that is if there is a member that would
35 like to resign, the easiest way is to write a letter to your
36 coordinator and probably also to the Council, saying you would
37 like to resign. And you have that option to resign. Then what
38 we would do is take from that pool of applicants, get someone
39 to fill that in. Now, there is the option -- this isn't a
40 sentence that you've gotten.

41
42 MR. ROACH: I guess that's one way to look at it, isn't
43 it?

44
45 MR. CHARLIE TITUS, JR.: Well, I was going to resign,
46 but then I look at this....

47
48 MR. STARR: In other words, you don't have to sink with
49 the ship?

50

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1
2 MR. MATHEWS: No, it's just that if I go down in the
ditch with the van, you know, just don't resign then. No, it's
A very good subject that is going to come up and that's why I
know it sounds funny now, but that is a very important subject
that this Council I think will have to deal at its next meeting
or future meetings as getting it clear on resigning or removing
a member, and it's a serious issue.

9
10 MR. CHARLIE TITUS, JR.: Well, I see Minto's coming up
for C&T determination next year. I'd better not resign because
I don't know if half you will be here or not. Better not take
a chance.

14
15 MR. LEE TITUS: Selina?

16
17 MS. PETRUSKA: I think we should have alternates, too.

18
19 MR. LEE TITUS: Uh?

20
21 MS. PETRUSKA: Alternates for this Council.

22
23 MR. LEE TITUS: Oh, alternates, yeah. We -- did we
move on the alternate issue or did we only discuss it?

25
26 MR. MATHEWS: I will have to go back through my notes.
I'm drawing a blank. I know you guys discussed it, but I
don't think you had a motion.

29
30 MR. LEE TITUS: Oh.

31
32 MR. MATHEWS: I'd have to look through my notes on
that.

34
35 MR. LEE TITUS: Jeff?

36
37 MR. ROACH: Mr. Chairman, we did ask Vince to look into
that and I think that there is some merit to us having
alternates, but I would like some time for Vince to research
that and for us to come up with some ideas of how we might want
to select alternates and, if we want to, divide our region up
into specific areas that we want alternates to come from.
There are a lot of questions involved with having alternates
and maybe we can think on that, Vince can look into it, and
then next meeting we can discuss that.

46
47 MR. MATHEWS: And, obviously, the Western Interior has
moved that motion forward. And I will share with you --
internally, I discussed it, and putting it in a positive light,
50

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the answer was pretty much no. But, again, the Federal Subsistence Board has not looked at it. That was internally looking at it from a fiscal point of view. So, I'm letting you know right now, it'll be kind of an uphill battle to get alternatives, but that doesn't mean there isn't a possibility, and there seems to be a need.

7
8 MR. LEE TITUS: So, the process is that all the applicants are reviewed by the Federal Subsistence Board, right, or is it only done in D.C.?

11
12 MR. MATHEWS: No. No, and hopefully others that have gone through this process will make sure I get the steps correct. But, essentially, a panel is formed which appointments are made to that panel by the staff committee. The panel meets and takes the application, looks them over, tries to make sure that it's clear what's on there, makes sure the person qualifies, et cetera, and then calls their references and then calls on a series of questions. Each region does it differently, but this region, to me, is well-defined how it's done. And then the panel meets, goes over and goes through a ranking system, kind of a point system, which gives all the candidates some kind of score. And then from that, that is used as one parameter to select -- no, excuse me, to nominate someone to the staff committee. The staff committee looks at that work and makes its recommendation to the board and then the board then -- that's where I'm losing. The board, then, I think gives a recommendation to the Secretary. Yes. And then the Secretary looks at them and decides. And this year we're hoping that process will be a lot throughout; that's why we started it earlier, and to allow enough time for the Secretary to make those appointments. I think I covered all steps there.

34
35 MR. LEE TITUS: Any more questions? If not, we'll take an hour break for lunch. When we come back we'll be going through the proposals. We're going to have -- anybody that wants to stay for lunch, we're going to have lunch here.

39
40 (Off record)
41 (On record; 1:30 p.m.)

42
43 MR. LEE TITUS: We were scheduled to do the proposals at 1:00, but since we have the guy from the Forestry here right now -- I guess since the proposals, I believe, is going to take a while, we're going to have him do his presentation right now. Before we do that, I'd like to thank Pam and Lois and some other people that helped cook the lunch for us, and we got a lot of comments from everybody and a lot of them wanted to

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donate to the cause. But, as a village council, we just kind of like wanted to just do this for our visitors. So, we'd like to thank you anyway.

4

(Audience applause)

6

7 So, at this time we'll get into Borealis Forestry Presentation.

9

10 MR. ROACH: While he's setting up, Mr. Chairman, we'll be going back to item C after the proposal comment period? We didn't cover item C under New Business yet.

13

14 MR. LEE TITUS: Oh, okay. Discussion and comments on residency requirements?

16

17 MR. ROACH: So, we'll do Forestry and then proposals and then go back to that?

19

20 MR. LEE TITUS: Yeah.

21

22 MR. ROACH: Okay.

23

24 MR. LEE TITUS: Yeah, we'll do Forestry and then we'll do proposals, and then we'll come back to the agenda.

26

27 MR. ROACH: All right.

28

29 MR. LEE TITUS: Okay.

30

31 MR. DOUG YATES: Thank you, Mr. Chairman. My name is Doug Yates. I'm from Fairbanks and I am representing today the Alaska Boreal Forest Council. It's a pleasure to be here and to carry our educational outreach into this region of the Tanana Basin. Contrary to some notions, the Alaska Boreal Forest Council is not an environmental organization; rather, we seek to assure and enhance subsistence values in Alaska wherever they occur. This includes providing oversight to industrial forestry that, according to some information that we have received and you may have read about in the Fairbanks "Daily News-Miner," is possibly being planned for this region of the Tanana Basin.

43

44 The Boreal Forest Council is made up of an active group of individuals whose livelihood includes carpentry, log house building, biology, writing, photography, people from all walks of life who feel strongly that subsistence values in the Tanana Basin need to be maintained and enhanced. Pursuant to this, we have been working to bring a measure of greater information to

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the general population about possible industrial applications of the boreal forest in this region as well as in other regions surrounding Fairbanks. We have prepared a slide presentation that I am eager to show you today that examines some of the values that many of you are already familiar with. Please excuse the redundancy. Many of you people live the life that urban Alaskans as well as people in the Lower 48 do not have an active knowledge of. So, the slide show is pitched more at people whose knowledge of activity in this area is not as comprehensive as yours.

11

12 The next segment of the slide show deals with forestry, timber development in the area around Fairbanks, between Fairbanks and Nenana, and I have some images of what this industrial development looks like, along with associated comments about what we feel is important to consider as these issues move through the legislature because the industrial application of timber development is not going to occur unless bills are passed within the legislature that allow this development to occur.

21

22 The next segment of the slide show is a presentation of the world's largest single-line craft pulp mill in the world which is located 150 miles north of Edmonton, Alberta. Just north of that plant is the clear-cuts out of the aspen forest that is feeding this mill. I think the sheer size and scale of the operation will interest you. I think with that introduction I'll get right into slide show.

29

30 MR. LEE TITUS: Vince?

31

32 MR. MATHEWS: Mr. Chairman, I just need to make it clear on the record that your authority on applies to Federal land and not to State lands, but that you're interested in this because of its potential impacts on subsistence uses. Thank you.

37

38 MR. YATES: The land and the water are the primary elements that all of us understand and deal with on a daily basis. However, the big trees that grow on south-facing slopes and along the riparian zones of interior forest systems are becoming increasingly attractive to large-scale industrial logging that has already visited areas like Alberta, Malaysia, Singapore, Brazil, and other areas, primarily as a raw product for pulp to make paper. Now, the material source for this bulk product is being looked at by a number of major corporations primarily located in Japan, although there are American corporations as well that are looking into the possibility of utilizing Alaskan forests. I come to you today to remind you

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that the values that many of us -- that brought many of us to Alaska, the values that many native-born Alaskans enjoy may be at jeopardy if we do not move carefully and scrutinize the industrial proposals that may come to the Interior.

5

6 Of course, fishing is one of the most sensitive. The effluent, or the end product that has to be gotten rid of, the garbage out of a pulp mill, is extremely sensitive to fish. And the way of life that many of you now enjoy and is admired around the world for its self-sufficiency may also be at risk. People from all over the world are coming to Alaska, many of them asking strange and curious questions. They want to know more about what it means to live off of the land. There is a tremendous opportunity, in our opinion, to gain monetarily from the tourism development.

16

17 This is some late fall chum that were pulled out of the Tanana just last year, downstream from Nenana. This is in Doug Bowers' yard. But all of the wildlife that bring you here to talk about today may be at jeopardy if we don't move carefully, as well as the botanicals and the other plant material that the forest provides. There is also a burgeoning industry, although it's small at the present time, in birch sap syrup. This is an operation on Ester Dome just to the north of Fairbanks, and this material is now being bottled and sold for high prices in exclusive gift shops all over Alaska. Of course, the forest provides a number of things, not the least among them is fuel. Fuel to heat homes, wood to build sleds, house logs. Many of these trees, the large old growth trees that are found along the river's edge are particularly targeted by the industry that has, until recently, been shipping them directly in the round to Japan, Korea, Taiwan.

33

34 Of course, forest fires do take a tremendous toll of the forest resource, but the resource springs back after a forest fire. And there is a particular line of inquiry these days looking at whether or not it's more beneficial to let fires burn rather than stopping them unless, of course, they are endangering the values that are already on the land. But after a forest fire, with all other conditions being equal, those browse comes back in quite heavy abundance. But there are other industrial activities besides forestry that are taking trees out of production.

44

45 This is a cyanide heat-leach gold mine just to the north of Fairbanks, and they dumped some effluent, untreated waste, into the woods because that was the most expedient way to get rid of it, and you can see the resulting die-back of these birch trees. This is the new proposed - now no longer

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proposed, I think they're moving ahead with this, they have all their permits - this is the Fort Knox open pit gold mine with the exploration activity evident. Fairbanks is over the ridge in the background. We're looking toward the southwest. And the clear-cuts. This is about 220 acres and, again, we're looking toward Fairbanks, the Tanana River to the right. This is on Ester Dome north of -- excuse me, on Murphy Dome north of Fairbanks, between Fairbanks and Nenana. In order to do the active reforestation, pursuant to putting seedlings in the ground, a tremendous additional cost is required in order to scarify, or to break up the soil, in order to achieve some level of success in the replanting efforts. So when a clear-cut is produced it doesn't automatically come back in the native tree that was taken out, in this case white spruce, because the grasses often come up very quickly and shade out the seedlings that may have been planted. There's a tremendous problem with reforestation in the Interior because of the grass problem.

19

20 It is our view that in order for large scale industrial forestry to occur in the Interior, it very likely may have to be combined with aerial spraying of herbicide in order to knock down the grass to allow the seedlings to mature. We're still at Murphy Dome here. All of the trees that were No. 1 Grade A were exported to Japan, down the railroad to Seward, and then once or twice a year on a freighter overseas. As you can see from this image, there's quite a bit of roading that is associated with timber development and, if you look closely, you can see that there was quite a bit of waste left on the ground. This is one of the things that we feel particularly strongly about. There should be a minimum of waste associated with clear-cut logging in the Interior and we are in near daily consultation with the Department of Forestry and DNR driving home this point. But there's only so much that one citizen-based organization can do.

36

37 This is on Toghotthele land, just north of Nenana. These are the trees that are primarily destined for the Orient. It's a heavily mechanized operation. No longer is the old idea that men go out into the woods with chain saws to take trees down. They use what are called buncher-feller machines that can take down as many as 100 trees in an hour and stack them neatly for the next process to get them to the railhead. These machines cost upwards of \$350,000 apiece. This is waste. This has been left on the ground on Toghotthele land. Perhaps one day it will be used as firewood by villagers in Nenana; perhaps not. By that time that they get to this point, it's 15 to 20 miles downriver; the rot may have reduced the firewood quality of these trees almost to nothing. Here is the No. 1

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Sort. This is the prime grade trees that are headed to Asia. And at the railhead at Nenana, they're stacked up by size and then loaded on railcars.

4

5 There's a brief series of images here that I'd like to bring to your special attention. In certain markets, particularly in Europe, consumers are willing to pay top dollar for trees that can be authentically certified as being taken out of the woods in a so-called ecologically sound manner. Damage to soil and the understory is reduced by horse-logging with one to three or four men in the woods with a team of horses. A number of trees can be brought out of the woods and through this process, as long as the trees are sound, there are dealers who are willing to pay top dollar, even beyond top dollar, for the assurance that these trees were horse-logged rather than taken out by machine.

17

18 Now, last summer I heard that there was an opportunity to take a look at some pulp and paper and oriented strand board plants, and so I went down to Dawson Creek, B.C. and then to Alberta, to Edmonton in Alberta, and I talked with a number of people that are concerned with what that industry is doing to their region. There is a great deal of aspen and birch logging in this region. All of the trees are being taken out of the land and are being sent to pulp mills. Very few of it is lumber quality. Just as we have in this area of Alaska, few of the trees are actually lumber quality when measured against the vast quantity that is available. And down the Alaskan Highway, every few miles you see big signs that announce that the area has been cut and reforested, but if you walk into the area, what you often find is less than a successful percentage of regeneration. Also what you see in this area of Canada is evidence of a lot of pesticide and herbicide use. This is taken right along the side of the public highway. Another hazard sign associated with industrial logging.

36

37 There is also a tremendous industry right now growing up around oil and gas development in this region of northcentral Alberta. Associated with that gas development is sodium hydrogen sulfide which is a poison gas and along every bypass and dirt road that turns off from the Alaskan Highway, you will see signs like this. "Enter At Your Own Risk." "No Camping." Well, I'm glad that I can read English, but I wonder about the moose in this area. I wonder about the other animals that might frequent this region where the oil and the gas field filling is going on.

47

48 But back to my primary message which is associated with industrial forestry. There's a tremendous amount of effluent

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that is dumped into nearby rivers that is part of the process water that was used to create the pulp. Now, this sign was created and erected by a community organization that had similar concerns as the Alaska Boreal Forest Council does, and they designed the sign and erected it at the -- where the highway crosses the Little Smokey River to warn neighbors and others in the area that the fish are no longer safe. The State demanded that it be taken down and they erected this sign. Not nearly as eye-catching, but if you read the fine print, the active chemical ingredients are clearly listed and it is a toxic soup that simply is slowly but surely diminishing the fisheries in the north-flowing rivers that these pulp mills have been sited on.

14

15 This is the Louisiana-Pacific pulp mill in Dawson Creek and it's on the north end of town and, for whatever reason, it was sited at a point that allows the fumes from this plant to drift over the community rather than away from the community. There has been tremendous associated health concerns, everything from bronchitis to asthma to loss of memory to what appears to be an outbreak of Down's syndrome in young, newborn children who have been born in Dawson Creek. The Canadian government is, at this point, dragging its feet in regard to citizens' demands for health survey of the hazards of the LP plant. But all day long, this plant produces what are called oriented strand boards and it's where they chip up the aspen into thumbnail-sized pieces and then conglomerate them into four-by-eight sheets of a cheap plywood substitute. The binder, or the glue, that is used to produce this plywood substitute is actually a rat poison that was produced in Germany prior to World War II. It's called MDI for short, and I have the complete chemical name if anyone is interested.

33

34 Downwind from the Dawson Creek mill, local farmers and beekeepers pointed out to me that along their windrows, along their windbreaks, they are seeing increasing problems with the health of their windbreaks. A couple of images that were pointed out to me by some folks that I was visiting. And this, they claim, is associated directly with the air emissions out of the LP plant. This is northcentral Alberta now, about 125 to 150 miles to the southeast of Dawson Creek. As you can see, the agricultural lands are slowly overtaking what was once forest cover. That's the Athabasca River in the background over on the right side. The Athabasca, you might note, is a north-flowing stream, it dumps into the MacKenzie and then it dumps into the Arctic Ocean just to the east of Prudhoe Bay. This is the Alpac Mill. It's called the Alberta-Pacific Mill and it's owned jointly by government of Alberta and Mitsubishi, a worldwide industrial concern based in Japan. Swing in for a

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closer view. The log yard is down in front in the foreground and it's almost a mile long. Exclusively using aspen trees at this time.

4

5 This is a view of the treatment plant where the
6 effluent is treated before it is dumped out into the Athabasca.
7 The plant is modern in the sense that it uses sawdust for
8 cogeneration of electricity to power the plant. Trucks arrive
9 at the Alpac Mill gate at the rate of one a minute. Currently,
10 the forest in this area is being taken out at the rate of 500
11 acres a day. Another view of the log yard. And this is out at
12 the clear-cut site. The foresters, acting on criticism from
13 citizens' groups and others, are no longer just moving in a
14 broad line through the forest. They are trying to imitate
15 patterns that are created by wild fire, and that's why you see
16 these rectangles and octagons in the woods. You also notice
17 that everything has been picked up; it's very, very clean.
18 There is no waste here. All of the wood can be used and is
19 used. Their procedure is to go into the woods up to a year in
20 advance of actually using the trees and letting -- taking them
21 down with buncher-fellers, stacking them up, and then allowing
22 them to dry for up to a year. The lower weight that the tree
23 possesses as it comes across the scales, loaded on the truck,
24 means they have to pay less. So, it's beneficial for them to
25 have it out in the woods and to let the tree dry out.
26 However, the down side for the environment is that aspen trees
27 contain a tremendous amount of phenols that are natural
28 insecticides that the tree produces to protect itself from
29 insect pests. It is this phenol that leaches out into the snow
30 and runs off with the snow melt in the spring. Phenols are
31 tremendously toxic to aquatic organisms.

32

33 Locally, this material has been noticed for years and
34 years by people working in the woods and it's called "black
35 water" by people who are familiar with it when they're working
36 in the woods. The lake in the background is Calling Lake,
37 G-a-l-l-i-n-g, and that's the southern shore of Calling Lake.
38 When I was in Edmonton, I was hosted and had the opportunity to
39 meet with the chief of the Lubicon Lake Cree whose name is
40 Bernard Umiak, and in the packet that I have made available
41 to the Council today, his address is listed. I make that
42 available to you so that if you desire you may have the
43 opportunity to substantiate and validate what I have to say by
44 contacting Chief Bernard.

45

46

47 That's the conclusion of the slide presentation, and if
48 you have any questions, I'd be more than willing to do my best
49 to answer them.

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1
2 MR. LEE TITUS: Does anybody have any questions? Any
questions from the public? Staff? Anybody? If not,....
4
5 MR. YATES: Thank you, very much. I appreciate the
6 opportunity.
7
8 MR. LEE TITUS: Okay. We're into Federal Regulation
9 proposals.
10
11 MR. MATHEWS: Mr. Chairman?
12
13 MR. LEE TITUS: Yes.
14
15 MR. MATHEWS: Before we get to that, we need to discuss
16 residency requirements.
17
18 MR. ROACH: Excuse me, Vince. That was brought up, we
19 talked about that, and the Chair requested that we do that
20 after the proposals since we had set a time for the proposals.
21
22 MR. MATHEWS: Oh, okay. Sorry. Thank you. With the
23 proposals, I do have an additional hand-out for you. We're
24 kind of at a little bit of a dilemma here. You will be getting
25 one of these, it's a chart, it lists many proposals that are
26 not directly related to your region, but because they have a
27 no-determination, they can kind of be considered statewide.
28, I'll be asking for your advice on that, what you want to do
29 with those. I did asterisk or star the ones that are directly
30 to your region and they are in your blue book which I hope all
31 Council members have your blue book. So, I'll pass this out
32 and then ask you how you would like to deal with these
33 no-determination proposals and make an announcement to the
34 Council that all the proposals that are in the proposal book
35 are before you. That's the one that was sent out statewide,
36 but in general....
37
38 MR. LEE TITUS: So, we can deal with -- we'll deal with
39 these proposals first and then after that, we can discuss that
40 one there.
41
42 MR. MATHEWS: There was a suggestion that maybe for
43 consistency to have -- I don't remember the number of the
44 proposal, I'm drawing a blank right now, that deals with
45 Kaktavik Hills first, to get that one out of the way partially
46 because there's a change in staff on that issue. Someone give
47 me a number. I think it's 53 or 55 or....
48
49 MR. JAMES: Fifty-three.
50

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1
2 MR. MATHEWS: Fifty-three. And then I need to get back
3 to my table.

4
5 MR. LEE TITUS: The whole Council got the summary of
6 public comments on these proposals? These are public comments
7 from Fish and Game and Wildlife Alliance and Outdoor Council.
8 All these -- they gave their -- for the public, there are some
9 copies of the public comments on these proposals over there on
10 the desk, if you want copies.

11
12 MR. MATHEWS: Mr. Chairman, to make it a little bit
13 easier, and to make sure that we don't miss something, if it
14 the Council agrees, what I can do is bring up the proposal,
15 give a quick summary of what the proposal is, read the public
16 comments into the record briefly, and then if any other council
17 has taken action on those proposals, share them with you, if
18 you'd like that pattern.

19
20 MR. LEE TITUS: Okay. I think the only time other
21 council would take action on these proposals is if they're
22 statewide proposals.

23
24 MR. MATHEWS: No. There may be some -- you guys are
25 accelerating faster than my mind can respond. There may be
26 some that have overlapping C&T determinations.

27
28 MR. LEE TITUS: Okay.

29
30 MR. MATHEWS: That's where the Southcentral may have
31 taken action on it. So, we'll see as we go through....

32
33 MR. LEE TITUS: Okay. Just for a point of information
34 for the Council members, I guess just to move along, we'll
35 adopt a motion to make -- motion to adopt these proposals and
36 doesn't mean that you're either for or against a proposal.
37 And when you second the proposal, it doesn't say that you're
38 for the proposal or you're against it; it's only to get it on
39 the floor for discussion. And in the discussion is when you
40 can state whether you're either for or against the proposal.
41 So, just to move things along....

42
43 MR. ROACH: Is this -- Mr. Chairman, would it be
44 possible to make a motion to approve all of them and then vote
45 them individually or should we make a motion for each
46 individual one when we come to it?

47
48 MR. MATHEWS: Are you talking about proposals just
49 within your region or all of them or....

50

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1
2 MR. ROACH: The ones within our region, when we discuss
the ones within our region. If it's easier just to do it each
time, then we can do it each time.
5
6 MR. MATHEWS: It maintains the positive motion aspect
that makes it easier to track, but it's up to the Council.
What you're saying is you would adopt all -- the motion would
be to adopt all proposals that address your area and then go
through each one and then knock them up or down.
11
12 MR. ROACH: Vote on each one individually.
13
14 MR. LEE TITUS: Okay. Is that a motion?
15
16 MR. ROACH: It is if it's legal to do so, yes.
17
18 MR. MATHEWS: It's legal, but....
19
20 MR. LEE TITUS: I think it'll be more -- if we just
stick to the old where we....
22
23 MR. ROACH: Okay.
24
25 MR. LEE TITUS:move on individual proposals.
26
27 MR. ROACH: That's fine.
28
29 MR. LEE TITUS: The first proposal we're going to deal
with is Proposal 52.
31
32 MR. MATHEWS: Mr. Chairman?
33
34 MR. LEE TITUS: Yes?
35
36 MR. MATHEWS: We were going to try 53 so we would not
be changing staff. Fifty-three is going to be presented by the
Park Service; the other proposals will be presented pretty much
by your regional team, so....
40
41 MR. LEE TITUS: Oh, okay. So you just wanted -- you
didn't want to play musical chairs.
43
44 MR. MATHEWS: I'll....
45
46 MR. LEE TITUS: Okay.
47
48 MR. ROACH: I'll make a motion that we approve
Proposal 53.
50

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1
2 MR. LEE TITUS: Motion on the floor to adopt
3 Proposal 53.

4
5 MR. MILLER: Second.

6
7 MR. LEE TITUS: Second. Discussion?

8
9 MR. MATHEWS: Okay. Mr. Chairman, Proposal 53 is
10 basically dealing with the Kantishna Hills and it's going to
11 suggest in more detail than this a closure of one mile either
12 side of the Kantishna Road. The proposal received public
13 comment and I will defer to the State if they want to present
14 their comments or if they would like me to summarize. We
15 received a lengthy document from them covering all State
16 proposals and this is a summary of their State comments. So,
17 it's up to the State if they want to come up and share theirs
18 and I can cover other comments, or I can summarize theirs. So
19 I'll ask the State representative if they want to....

20
21 MR. MORRISON: Thank you, Mr. Chairman. The State had
22 previously made a comment on this proposal and since then have
23 added some other thoughts that we would like to submit in
24 amplification of the State's concern with this proposal. We're
25 concerned with it for two reasons: One, because of the
26 immediate short-term effect on some subsistence opportunity;
27 and, secondly, the long-term possibility of increasing the
28 approach to this question that might be used elsewhere. The
29 proposal seems to address two main problems. One is visitor
30 health; people visiting the Park who, it is felt, might be
31 threatened by the discharge of high-powered rifles in the area
32 of concern. And another possible question is the confrontation
33 of potentially conflicting user groups, one group being the
34 subsistence hunter and the other group being recreationists who
35 may not appreciate hunting going on in that area, either from
36 the standpoint of taking the wildlife or from the safety
37 factor.

38
39 We are primarily concerned with this approach to the
40 problem, the approach of having the Federal Subsistence Board
41 eliminate a subsistence opportunity for what is not a
42 subsistence question or problem or concern. In other words,
43 the Federal Subsistence Board, we feel, should not be using its
44 authority to make regulation changes for the benefit of a
45 safety problem that should be handled by other authorities
46 since it is not a subsistence question. We feel that the
47 Federal Subsistence Board would first need to make a negative
48 C&T finding for this corridor of land that's in question,
49 changing the C&T finding to make it a negative finding to
50

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prohibit subsistence hunting there. We also are concerned that the lodges that have raised this question knew the land status and permitted uses that existed prior to their development and expansion of tourism. The proposed closure from June 1st to September 30th is inappropriate. If moose hunting is perceived to be a problem, why not recommend closing moose hunting season only rather than all hunting from June 1st through September 30th? In other words, close just the moose season during the month of the September rather than closing all hunting from June 1 through September 30.

11

12 Now, the only species really discussed here is moose, but the proposal would also prohibit subsistence hunting of grizzly bear, black bear, foxes, wolverine, wolf or whatever, including birds. And we're questioning, too, what happens if lodges there extend their visitor season or the areas they use and then will additional areas be closed to the subsistence hunters? We disagree with the statement under the section, "Proposed Change on Wildlife Populations" that subsistence harvest could potentially affect local moose and bear populations within this ten square mile area. We feel there will be essentially no biological effect to the populations whether or not moose or bears are harvested. We also disagree with the statement that the subsistence harvest for Kantishna Hills is currently minimal but could potentially become very high. The estimated moose density in the area is .6 moose per square mile which means there would be about six moose in the corridor. The moose season is open only for bulls, so probably less than three bulls would likely to be a legal kill. This Corridor may have higher densities than the overall .6 moose per square mile; however, the harvest is still going to be negligible to the population status.

33

34 Another point is that the impact of 200 people per day which is estimated in the proposal, 200 people per day in this area has a much greater impact on local wildlife populations than the very few subsistence hunters using the area for a brief period of time. I would not be surprised if the subsistence hunters could claim that the increased visitor use has compromised their subsistence hunting. So, some of the other solutions that might be thought about for this problem is to warn visitors about the hunting seasons and activities, and if they're not comfortable with co-existing with subsistence hunters during this limited time period, they could move on over into the hard Park, only about four and a half miles away, and avoid any conflicts. And through the Kantishna-Denali Borough or some other regulatory body, limit the Corridor to prohibit the discharge of firearms which is a more rational way of approaching the problems than asking the Subsistence Board,

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the Federal Board, to change the subsistence season. Another possibility is to limit hunting in this Corridor to either shotguns or archery equipment and then the private inholdings can post such areas as patented mining claims or whatever other kind of land ownership might exist in there.

6

7 So, these are some of the thoughts that we've had on it and we would certainly like to pursue this further with the Park Service in trying to work out another approach to the problem other than cutting off the subsistence hunting. Thank you.

12

13 MR. LEE TITUS: Just a point of clarification. What portion of the Kantishna Road are we talking about? Can you point that out on a map for us? Right at the end of the road there?

17

18 MR. TWITCHELL: I know this might be difficult for you to see from where you're sitting. The area in question is the area from the Old Mt. McKinley Park boundary which is just immediately north of Wonder Lake and extends for four and a half miles up to the Kantishna airstrip. It's an area that encompasses approximately 10 square miles, that being from one mile on either side of the Kantishna Road from the airstrip back to the old Park boundary. So, it represents a relatively small geographic area in relation to all of the Kantishna Hills itself which extends out for a number of miles off to the north. Access to this area is only through the Park road itself. Once it reaches Kantishna, there are old mining roads that go up Moose Creek about five to eight miles this way. There's another road system that comes up Skyline Drive and descends down into Glacier Creek and Caribou Creek Drainages. There's also another road that extends out, what's known as Ahola Road, extends several miles out down below Moose Creek. So, the road system itself is a network of roads that go out to the Kantishnas. The main area of closure is associated with the lodges and the facilities that are provided in this four and a half mile corridor.

39

40 MR. LEE TITUS: Was that on this -- is that shown on this map? Where's the road, the Kantishna Road?

42

43 MR. TWITCHELL: Okay. This map depicts the Denali National Park and Preserve. The Parks Highway comes up along this corridor, right along the eastern boundary. This is where visitors and subsistence hunters would enter the Park. They would drive out the Denali Road along this corridor to Wonder Lake. This is where Wonder Lake is located, about 90 miles in. Beyond Wonder Lake is the Kantishna Hills. You can see they

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extend way up to the very northern boundary of the Park and
it's in this area where roads go out up Moose Creek, go up
Skyline Drive into Caribou and Glacier Creeks and on down the
lower part of Moose Creek.

5

6 I would also point out while I'm at the map that
anything north of the Alaska Range which is represented by this
red line is in Unit 20(C) which is in the Eastern Interior
Region, so the Kantishna Hills is clearly within your area of
representation. The area on the other side of this red line is
in the Western Interior Region and the area south of this line
is in Southcentral Region. Do you have any questions before I
leave the maps?

14

15 MR. CHARLIE TITUS, JR.: Yes. Is this proposal only
one mile on each side of the road?

17

18 MR. TWITCHELL: That's correct, and only for this four
and a half miles where all the lodges are located.

20

21 MR. CHARLIE TITUS, JR.: It's only to protect the
tourists, huh?

23

24 MR. TWITCHELL: That's correct. This is a visitor
safety concern that has no biological aspect to it at all from
a harvest standpoint.

27

28 MR. MATHEWS: Mr. Chairman, there's one other public
comment that was submitted on this proposal. It's from the
Alaska Wildlife Alliance, Anchorage, Alaska. Their response
was, "We support the proposal. We believe it's unfortunate
that hunting is permitted within Denali National Park and
Preserve in the first place. However, this proposal makes
hunting safer to visitors." That's all the public comments
that were received that I know of on Proposal 53.

36

37 MR. LEE TITUS: Any more comments on this proposal?

38

39 MR. MATHEWS: Mr. Chairman, there's still....

40

41 MR. LEE TITUS: Yeah.

42

43 MR. MATHEWS: We're jumping around. There's still a
lot more information that Mr. Twitchell has on this proposal.
I would encourage you to allow him to address that.

46

47 MR. LEE TITUS: Sure.

48

49 MR. TWITCHELL: Proposal 53 was submitted by Denali

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Park and is concerned only with visitor safety aspect of hunting in this developed corridor of Kantishna, as already discussed. The proposal initially submitted was submitted for a request for closing from June 1st through September 30th. In subsequent discussions with the lodges in the Kantishna area, they have indicated that the time that they have high visitation is only up through September 11th. So that this proposal now has been modified by the Denali Subsistence Resource Commission which has been concurred with by Park management that the closing date for this proposal should be amended to end on September 12th of each year.

12

13 The proposal is discussing a situation in Kantishna. The Kantishna District has evolved into a major visitor destination in the last few years. There are four private lodges within this corridor providing services for guided hikes, recreational gold-panning, guided horseback trips, interpretive hikes, and a variety of other recreational uses. The focus of these activities are primarily in that Moose Creek Corridor. They indicate that from June 1st through mid September, they have indicated that there are on an average 250 recreational users that are staying in their facilities in this area. In addition, they've indicated that the four lodges combined have approximately 100 staff that are in that area to support the visitor services that they are providing. So that indicates that there are about 350 people on 24-hour basis within this 10-mile corridor in that Kantishna area.

28

29 They also indicated that their use is consistent from June 1st through September 11th, and the fact that they are booked up before the season even opens for that whole time period, and they've indicated that there is no significant reduction in the number of guests after Labor day, September 1st. After the 11th, recreational visitation more or less ceases. They release a number of their permanent staff and the number of people involved in this area diminishes significantly after the 12th. Except for the vegetated area along the river bottom of Moose Creek, the rest of the habitat that is tundra slopes and is open country.

40

41 There is concern that with the number of people in the open habitat that's represented in this area, that discharging high-powered rifles in the vicinity of these lodges and facilities poses a threat to visitors. Again, the proposed closure only involves approximately 10 square miles and would only be effective June 1st to the September 12th period. The Kantishna Hills remains accessible via the roads that I indicated to you during this time period and subsistence hunters could continue to utilize those upper drainages and

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Other areas of the Kantishna Hills. All of the lands involved within this area are within Denali National Park. The user groups who are authorized to utilize this area by the existing E&T determination includes the villages of Nikolai, Telida, Lake Minchumina, and Cantwell and, in addition, there's about 14, 15 other individuals from surrounding communities that have special authorization, subsistence use authorization.

8

9 MR. ROACH: Excuse me, Hollis? I have a question for you. You say the SRC has taken this issue up and requested the date changed to September 12th. What is the SRC's comment on the proposal?

13

14 MR. TWITCHELL: I was going to read that into the record towards the end of what I had to say, but if you'd like to hear that at this time, I'll do it.

17

18 MR. ROACH: Yes, please.

19

20 MR. TWITCHELL: This is a letter directed to the Federal Subsistence Board in which the Eastern Interior Region was copied. I delivered a copy of it to the Chairman yesterday, and he has a copy of that record at this time. It says, "Denali National Park Subsistence Resource Commission discuss Proposal 05. 53 to close approximately 10 square miles of the Kantishna Valley to subsistence hunting from June 1st to September 30th. During their February 17th, 1995 meeting, the Commission felt that the proposed subsistence closure is appropriate. The 10 square miles involved from the north boundary of former Mt. McKinley National Park to the Kantishna airstrip and within one mile on either side of the Kantishna Road is heavily used by visitors during most of this period. There is a high concentration of people who stay at visitor facilities in the area, often for several days. The Commission felt that there was a significant enough concern for visitor safety to warrant this closure. The Commission also believes that the date for ending the hunting ban should be September 12th instead of September 30th. Information from privately-owned lodge facilities in the Kantishna area indicate closing dates by September 11th and local populations drop significantly from about 350 people daily. The Commission understands that Denali National Park staff concur with this change in closing date. The Commission also agrees with the boundaries as presented in the proposal. The Commission also wants to state the situation in the Kantishna area is unique and this action should not be interpreted as a precedent for possible similar actions elsewhere. Any future proposals should be considered individually on their own merits."

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1 MR. LEE TITUS: Was there any other comments from the
2 people that's living in the affected areas?

3
4 MR. TWITCHELL: At the SRC meeting, there were comments
5 from several people, Bill Purhatch, the Land Use Planning
6 Commission for the Denali Borough, and also an employee from
7 one of the lodges, Wally Cole, North Camp Denali facility.
8 Those were the only public comments presented at the council
9 meeting.

10
11 MR. LEE TITUS: The majority of them were in favor of
12 the proposal?

13
14 MR. TWITCHELL: Those two individuals were in favor of
15. One of the individuals brought up another aspect that had
16 not been considered, and that was the fact that there will be
17 shuttle bus service provided to Kantishna this summer. This
18 will be the first time that mode of access will be available to
19 the public and that's anticipated to be approximately two buses
20 a day going into Kantishna from the Park entrance area.
21 Unknown exactly how many people will participate in that, but
22 eating on the bus could range from 28 to 40 people. We've not
23 even tried to tabulate how many recreational users, campers and
24 other hikers are in the area outside of this 10-mile corridor,
25 but the number of letters the Park has received from visitors
26 indicate that there are a number of people utilizing the area
27 well.

28
29 MR. CHARLIE TITUS, JR.: Mr. Chairman?

30
31 MR. LEE TITUS: Charlie?

32
33 MR. CHARLIE TITUS, JR.: It sounds like -- to me, it
34 seems like keeping it open would kill both resources, the
35 visitor resources and the animal resources. This is an
36 opinion, but....

37
38 MR. LEE TITUS: Jeff?

39
40 MR. ROACH: The September 12th date will still allow 18
41 days for moose hunting at the end of that period. Is that
42 correct?

43
44 MR. TWITCHELL: That's correct. This area also has
45 the -- open to the alternate winter hunt that -- discussed with
46 you earlier from November 15th to December 15th.

47
48 I would have more to present if there is not any
49 further questions at this point.

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1
2 MR. CHARLIE TITUS, JR.: I have one question about the
Kantishna hunters or the Cantwell hunters. It says here they
shifted their moose hunting into that area after 1994. Any
particular reason?

6
7 MR. TWITCHELL: A number of the hunters who shifted to
Kantishna have indicated to myself and others that they are
protesting the fact that there are selected lands near their
village of Cantwell in which they are excluded from subsistence
hunting in because of the definition in ANILCA of Federal
public lands, those lands being selected by Ahtna Corporation
and the State of Alaska. Those lands immediately to the
village are no longer available for their subsistence moose
hunting. In an effort to try to cause notoriety to their
problem, they decided to push the issue and assume a new
hunting area in Kantishna Hills.

18
19 I started to mention that there are those four
communities that have C&T use in the Kantishna Hills. Nikolai
and Telida Villages have not utilized 20(C) in terms of hunting
moose. We assessed that by looking at harvest records for the
area for the last 15 years. I asked the Western Interior
Regional Council member, Ray Collins, who has lived in that
area of Nikolai and Telida, whether he concurred with that and
he acknowledged that, to his knowledge, that individuals from
those communities have not traveled over and hunted moose in
20(C) for 30 years. The area of Minchumina is not accessible
to the Kantishna Hills by road system and their harvest areas
are focused primarily on the vicinity immediately around
Minchumina. So the community in question then comes to
Cantwell which has road access to the Kantishna Hills. We have
a Federal registration permit in the Cantwell area in which we
issue approximately 45 permits annually to households in
Cantwell for moose hunting. That is one moose permit per
household. There is approximately 147 people who live within
the community of Cantwell. If you use the number of permits
issued for moose hunting, we know that there's at least 50
households who have interest in hunting moose. So, that's
where the concern arises as to what level of shifting in
pattern will occur from Cantwell to the Kantishna.

42
43 I would also like to enter into the record a statement
from the Denali Task Force and the only reason I do this is
because they have taken an extremely strong position regarding
the Kantishna issue and, in part, is why the Park and the
Denali Subsistence Resource Commission is responding.
This task force was formed in 1994 by the Secretary of
Interior, Bruce Babbitt. It tasks this task force of 16
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members to address three issues. One was access through the Park on the existing road systems; the second was the Kantishna area, in particular regarding mining interests, lodges, private lands, and recreational use in that area; the third issue was the south side and how the south side of Denali should be developed. I'll try to make this pretty quick so that we don't belabor the point. I'll mention who these members are because I think it's important in the context that this was not a local Park Service-generated body; that this body was selected by the Secretary with fairly wide-ranging interests. Members on the task force was Margie Brown, vice president of Cook Inlet Regional Corporation, Ruby John, businesswoman and member of ABtna Regional Corporation, Bill Purhatch, who is with the Denali Land Use Planning Committee, Wally Cole, who was an owner of Camp Denali and North Face Lodges in Kantishna, Sally Gobbert, who is the Alaska Division of Governmental Coordination, Steven Sisk, who is the regional director for the North region of the Department of Transportation, Chip Donnerlin, who is the regional director of a Park Conservation Advisory Group, Lauren Croxton, who was a member of the Denali -- of the National Park Service Advisory Board which was a board formed to advise the Secretary on Park Service issues, Pat Pershow, who is executive director of Commonwealth North, Dennis Brandon, who is the president of the Alaska Visitors Association, Henry Freidman, who is a member of the Denali Citizens Council, Bob Kauffman, who is the vice president of The Denali Foundation, Mary Pignelberry - I'm sorry if I mispronounced her name - she is with the Alaska Division of Tourism, Neil Johansen, who is the director of the State Parks, Bowell Thomas, Jr., who is the former lieutenant governor and air-taxi owner, and Dave Kline, who is the vice president of The National Audubon Society.

33

34 That panel took up the issue in Kantishna and they commend ". . . continuance of customary and traditional subsistence uses by qualified local rural residents as guaranteed in ANILCA additions to the National Park system, including Kantishna. There is a deep concern that current management of subsistence in the Kantishna area is creating unnecessary and inappropriate conflicts with other Park purposes. To address this concern, determinations of qualified subsistence hunters and customary and traditional use should be vigorously made. In addition, appropriate areas around commercial lodges and trails should be closed for public safety. The National Park Service should work closely with the Denali Subsistence Resource Commission and the Federal Subsistence Board in carrying out these recommendations. The NPS should begin immediately by convening a meeting of the Denali SRC. In addition, the NPS should increase public

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awareness and understanding of the limited nature of this authorized use of Park systems in Alaska. If the above administrative actions are taken, the Task Force believes this issue will be effectively resolved." If implementation of the above measures are not effective, the majority of the Task Force felt that as a last resort ANILCA should be changed to eliminate subsistence use in the Kantishna area. There was a minority statement and I believe it was one individual who felt that, in their opinion, that ANILCA should not be modified because it would open a volatile debate and could jeopardize statewide subsistence rights.

12

13 I read that into the record just to let you know of the concern that is out there beyond the immediate Park area. The Western Interior Regional Council inquired about this proposal and they inquired about it because two of their villages, Nikolai and Telida, within their region has C&T use for moose in 20(C). Once they were informed that those villages, to anyone's knowledge present, did not travel over to the Kantishna area, they had no comment and took no action. The Southcentral Regional Advisory Council was presented the proposal. There was a motion made by an individual to adopt the proposal as amended by Denali's SRC. The Council voted one in favor, one member abstaining, and five members voting no. They left the issue at that and did not entertain a motion beyond that to oppose the proposal. I believe that they are looking towards the Eastern Interior Region to respond. That's what I have to date. I'll answer any questions if I can.

29

30 MR. LEE TITUS: Any more comments? Since this is only dealing with a small portion of land, I'm really kind of opposed to rules and regulations that are increasingly mounting, especially when you get into a Federal system. And I just don't want to see proposals that only deals with small portions of land, where regulations start piling up. And it seems to me that we are already are really consumed by rules and regulations on -- especially when you're dealing with State lands and Federal lands and BLM lands and Park Service lands, and Tetlin Wildlife lands. They all have their own little thing going, and I just don't want to see too many different things going on especially when it really doesn't affect the subsistence users. Any more comments?

43

44 MR. CHARLIE TITUS, JR.: I have one, Mr. Chairman. Just a comment. It seems like this issue was brought on by opening new hunting areas for new subsistence users. It's a battle between one group of people and the Park Service.

48

49 MR. LEE TITUS: What would -- if this proposal was not
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adopted, what's the negative implications of the people living in this area or the subsistence users living in this area?

3

4 MR. TWITCHELL: If no action is taken or opposition is taken by this Council, then the information would, of course, go to the Federal Subsistence Board and they would make their ruling on whether to adopt or drop this proposal. If the proposal is dropped, then the SRC will have to deal with it in some manner. The SRC wanted to use the regional councils and the Federal Subsistence Board as a public arena to bring this proposal forward, in. Their recourse, if they decided to pursue it, would be to go through the Secretary of the Interior through a Hunting Plan Proposal and, as you may well be aware, the Subsistence Resource Commissions have that avenue of authority where they can communicate directly to the Secretary of Interior regarding hunting programs on National Park Lands. So, it would put the SRC back in the position of having to deal with it again.

19

20 MR. ROACH: Just one comment. I would like to thank the Park Service for bringing in the SRC, for coming to regional councils with this recommendation. We had some concern previously that that avenue of going directly to the Secretary was the first one used and I do appreciate Denali's SRC coming through us, giving us their recommendation, and knowing that those are the local people that are involved in the subsistence issues, specifically at Denali National Park.

28

29 MR. LEE TITUS: John?

30

31 MR. STARR: Was that board that was selected by -- you said by the Secretary down there, that Lowell Thomas and them people are on, was that just for that National Park?

34

35 MR. TWITCHELL: The task force that I quoted?

36

37 MR. STARR: Yeah, the task force, I mean.

38

39 MR. TWITCHELL: That's correct. It was formed by the Secretary because of a number of major issues that were very controversial at Denali; mining claims and acquisitions, development on the south side of Denali, and public access via the road system, the buses. And it was formed to advise the Secretary on those matters.

45

46 MR. LEE TITUS: Any more comments from anybody, either the public, on this proposal before we vote on it? Hearing none, all in favor of Proposal 53 signify by saying aye.

49

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1 ALL MEMBERS: Aye.
2
3 MR. LEE TITUS: All those opposed? Proposal 53 has
4 been adopted by this Council.
5
6 MR. MATHEWS: Mr. Chairman, that brings us back to
7 Proposal 52, so we can be back into sequence.
8
9 MR. LEE TITUS: So we're going backwards?
10
11 MR. MATHEWS: Yes.
12
13 MR. CHARLIE TITUS, JR.: Mr. Chairman, I was wondering
14 if....(pause) Mr. Chairman?
15
16 MR. LEE TITUS: Yes.
17
18 MR. CHARLIE TITUS, JR.: I was wondering, are all these
19 proposals going to take this long? If that's the case, we'll
20 be here all night.
21
22 MR. MATHEWS: I don't think they'll all take that long.
23 Proposal 53 had some unique aspects to it.
24
25 MR. CHARLIE TITUS, JR.: Well, make sure we get out of
26 here by five.
27
28 MR. ROACH: That's pushing it, Charlie.
29
30 MR. MATHEWS: Proposal 52 was submitted by Stevens
31 Village Council. It is asking to add a paragraph dealing
32 with -- that snow-machines and motor-driven boats may be used
33 to take caribou and moose in Unit 25 during established
34 seasons; however, shooting from a snow-machine in motion is
35 prohibited. Public comment on Proposal 52, I think the State
36 will cover theirs, and if not I can summarize it, but I'll get
37 the other one that was submitted. This was by the Alaska
38 Wildlife Alliance in Anchorage.
39
40 MR. LEE TITUS: Excuse me, Vince.
41
42 MR. MATHEWS: Yes?
43
44 MR. LEE TITUS: I think we should bring it on the floor
45 before we....
46
47 MR. MATHEWS: Oh, I'm sorry.
48
49 MR. ROACH: I'll make the motion that we approve
50

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Proposal 52.

2

3 MR. STARR: I'll second.

4

5 MR. LEE TITUS: Motion on the floor.

6

7 MR. STARR: I'll second it.

8

9 MR. LEE TITUS: Second by John. Okay. We're under
discussion. You can continue.

11

12 MR. MATHEWS: Sorry about that. I was trying to make
that 5:00 deadline. The Alaska Wildlife Alliance opposes the
proposal. The Alliance is opposed to the use of motorized
vehicles for the pursuit of wildlife for subsistence or sport
purposes. That's the summation of all the comments that I am
aware of Proposal 52. I mean I need to be corrected on that.
The State can provide its comments. It did do that. I can
summarize it. Okay. Do you want me to summarize then or....

20

21 MR. LEE TITUS: You can just read the Fish and
Game's....

23

24 MR. MATHEWS: Okay. This is a summary of Fish and
Game's comment. They oppose the proposal. "The proposal does
not present evidence that regulation change is needed
throughout Unit 25 or is even desired by Unit 25 residents
outside of Stevens Village. The use of snow-machines and
motor-boats for hunting caribou and moose in Unit 25 may not
cause a biological problem, but such an expansive change in
subsistence hunting regulation over such a wide region could
result in law enforcement problems concerning harassing,
hurling, and chasing game animals. Until the question of
jurisdiction of fish and wildlife management on navigable
waters is decided, the State recommends not taking action on
this proposal. Alaska Department of Fish and Game." That's
all the comments. So, it'd be to your other staff on your
team, if you desire.

39

40 MR. LEE TITUS: George?

41

42 MR. SHERROD: Okay. I'm going to try to summarize
this. I'm assuming you have it in front of you and if I -- if
you need more questions, just ask. Basically, the proposal
requests that caribou and moose can be taken from boats and/or
stationary snow-machine in Unit 25. Currently, the
prohibition on taking moose and caribou and other resources,
large game, is one of our general provisions and we have a
number of exceptions to those. We basically manage by

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exceptions. The notable exceptions in this case are that Wildlife -- you can take from a stationary snow-machine Caribous in Unit 22, 23, 26 and moose in Unit 22. Wildlife may be taken from a motor-driven boat if the motor has been shut off and the boat's progress from the motor's power is stopped; again, except that boats under power may be used to take Caribou in Unit 23 and 26. An analysis of this basically -- and, again, I'm summarizing. With respect to motor vehicles on land, there does not appear to be any valid reason not to allow shooting from any stationary motorized vehicle as long as the vehicle may be legally used to access an area, and this provision has to do with Haul Road example. And, again, it's illegal to shoot from, on, or across a highway.

14

15 It should be noted that beginning in 1994, State Hunting regulations do permit the taking of game from a motorized vehicle on land as long as the engine is not running and the vehicle is not in motion. Again, the provision about not shooting from, on, or across a road. With respect to motorized boats, except where Federal Subsistence Management regulations apply to navigable water, the jurisdictional issues arise; however, in April 1994, the board allowed shooting from a boat to take ungulates in Unit 4 - that's Southeast, Alaska - as long as the motor had been shut off and the boat's progress from the motor had stopped. The board rejected a request for reconsideration submitted by ADF&G which raised jurisdictional issues as well as the problems of conservation of animal Wildlife. As I say, this issue has appeared several times and the justifications or record is, at best, a little inconsistent.

31

32 MR. ROACH: Mr. Chairman?

33

34 MR. LEE TITUS: Jeff.

35

36 MR. ROACH: I have a question for George. This falls under -- it kind of falls under the "where" issue of, Is the Harvest where the game animal is shot or where the hunter is when he fires the weapon? And that was one of the jurisdictional questions that was brought under concern, I know, at the board meeting.

42

43 MR. SHERROD: I've heard both sides argued. I would believe the fact that the board did decide in the case of Southeast that if the animal was shot, in this case deer on the beach, and the deer was above mean high tide line, they saw no jurisdictional problem with that. Now, I'm sure the State would disagree with that, but the same would be true, I suppose, in the river if you actually shot an animal above mean

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high tide line. I would think that you could draw a parallel there between what they passed in Southeast and what would occur in rivers. But, again, I'm sure the State would probably disagree with that.

5

6 MR. ROACH: Okay. Because that was the jurisdictional question that I saw in Proposal 52, is that the problem with the motor-driven boats being on navigable waters, in essence, being State land. And I can see a lot of confusion by people if they're allowed to shoot from their boat. They have to be sure that that wildlife is on Federal lands which means above mean high water mark on navigable waters.

13

14 MR. SHERROD: That is correct. In the cases where we currently allow caribou to be taken from a motorized boat, State regulations also allow that practice. So, in those areas, there isn't a conflict because we basically are in agreement with State regulations; that's Units 22 and 23.

19

20 MR. ROACH: But in this area, there would be a conflict.

22

23 MR. SHERROD: Potentially, the same as there would be in Southeast. I might add that in the analysis that we're sending forward, and you've probably read that, there is the at least hinting that perhaps the board should consider this not only for Unit 25, but as a statewide regulation and, therefore, discontinuing the practice of managing by exception. Something that Mr. Titus brought up is that, you know, you continually have more and more exceptions and the rules keep getting bigger and bigger.

32

33 MR. MAYO: Mr. Chairman?

34

35 MR. LEE TITUS: Randy?

36

37 MR. MAYO: Yeah, I just wanted to comment on this Alaska Wildlife Alliance. They oppose -- you know, they say "We oppose the use of motorized vehicles for the pursuit of wildlife for subsistence." You know, we don't hunt like that. We don't chase game down with snow-go's or boats, you know. We don't have airplanes. You know, this is really confusing to me, all of this, what I call "colonial law" being imposed on our traditional land annexed through -- you know, by these agencies, and this law is imposed on us. You know, if I'm out and I see a moose, I come around a bend in my boat and I have a good shot at it, I'm going to take it regardless. You know, that in my country, this is a fact of life. This is the law, you know. And that's all I have to say about this, you know.

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1(Pause) It's just that, you know, this thing here, we don't
 2use motorized vehicles to chase nothing down. We use it to get
 3out to the country, you know. This makes it sound like we're
 4out there running down moose and caribou and whatever, you
 5know. That's not true.

6

7 MR. SHERROD: The feeling in the analysis was that the
 8prohibition against harassment would cover that. There is, at
 9least, a little bit of confusion by the staff that was
 10analyzing this in terms of the concept of pursuit. Suppose you
 11came across a ridge and you saw a caribou herd three miles away
 12if you were in open country. At that point, if you actually
 13tried to get there on your snow-machine, you would, at least
 14theoretically, be pursuing that herd. It doesn't make a lot of
 15sense for you to stop your snow-machine, get off and start
 16walking after it. So, you know, there is some confusion, I
 17would say, in the law about the idea of pursuit and so on, and
 18like, the definition of "take" which also includes harass. But
 19it was a general feeling that the prohibition against harassing
 20animals would provide a mechanism to ensure that abuses would
 21not occur.

22

23 MR. LEE TITUS: There's nothing in this proposal
 24stating that game be taken from a boat, motor-driven boat. It
 25only states that a motor-driven boat may be used. And from my
 26understanding of the people that live in this area, like Randy
 27says, a motor-driven boat, when we go hunting especially for
 28moose or caribou, we don't just go ride around until one
 29happens to be crossing the river or something, you know. Most
 30of the time we use the boat only for access to go get to or
 31from a hunting area. And that's what I see in this proposal,
 32to get to and from a hunting area. That's the way I hunt
 33anyway when it comes to moose and -- when it comes to moose, I
 34use the boat only to get to a specific moose area and I don't
 35see it as harassment.

36

37 MR. SHERROD: Currently, you can access an area with a
 38boat. The question comes -- and you can shoot from a boat if,
 39in fact, the motor has been turned off and forward motion has
 40stopped. In debating this or when this issue has come up in
 41the past, it's been argued by some local people that, in fact,
 42a boat under power in a swift river is actually a stabler
 43boating platform and safer than from turning the boat off and
 44letting it come back, or that to simply cut your engine speed
 45in a swift river places you basically at risk of floating back
 46to drifters or whatever. Currently, to travel to a site,
 47top the boat, get out, is legally permitted.

48

49 MR. ROACH: Mr. Chairman?

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1
2 MR. LEE TITUS: Yes.
3
4 MR. ROACH: I'm looking at the way Proposal 52 is
written in here, and you can help me out and see if I'm getting
too technical in my termination here. It does not say in the
proposal that it would allow shooting from a boat or a snow-
machine.
9
10 MR. SHERROD: That would come under definition of take.
11
12 MR. ROACH: Well -- but it specifically -- okay, so I
guess I'm a little bit confused. So, what you're saying is the
word "take" in there would imply that you can shoot from the
snow-machine or motor-driven boat.
16
17 MR. SHERROD: Our definition of take includes kill,
harass, and so on. I suppose that probably Mr. Mayo might be
able to clarify the intent. I'm hoping he could, anyway. But
the way I read it, it would mean kill.
21
22 MR. LEE TITUS: Do we have any comments from the public
on this proposal? Franklin, would you use the microphone for
the record?
25
26 MR. FRANKLIN PAUL: Yeah, I'd like to -- you're talking
Proposal 52? You're talking hunting, snow-machine, boat? What
do you mean by hunting, snow-machine, boat?
29
30 MR. ROACH: Excuse me, Mr. Chairman?
31
32 MR. LEE TITUS: Yes?
33
34 MR. ROACH: I think that may address the issue of what
was just talking about in that with this proposal, it would
be -- people would be allowed to shoot an animal from a
snow-machine or boat.
38
39 MR. PAUL: Yeah, okay. I do hunt a lot with a boat and
snow-machine and when I do go out hunting with a boat, you
don't just drive upriver and drive right up to the moose and
shoot him right there, you know. I don't hunt that way. We
hunt -- when we're hunting on the river or seasons -- hunting,
September. When you see a moose track, you know there's a
moose there. So, sometimes you get out on a look-out site and
look for it. That's the way we hunt in this country. But I
don't know where they hunt, Anchorage, Fairbanks, wherever they
hunt, probably about the same way they hunt. But I've never
seen people drive up a river, any river, and see a moose.
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Maybe they luck out and shoot one like that once in awhile. But in this country, I've been hunting and I seen moose, but you hunt moose, you go upriver, up creek, wherever. By the way we hunt is how we hunt by river, by tracks. You see a moose track there, you land there and you look for it.

6

7 MR. ROACH: Mr. Chairman?

8

9 MR. LEE TITUS: Jeff?

10

11 MR. ROACH: But this would allow you, if you came around a bend in the river like Randy was saying, if you come around and you see a moose, this would allow you to shoot it while you were still in the boat. What is your opinion on that? What is -- how do you locally deal with that?

16

17 MR. PAUL: To me, a lot of times, one out of a hundred, you probably be able to shoot it. Most of the time you have to land and look for it. From shooting from a boat, from a moving boat, you're moving ten miles or five miles an hour, you be lucky if you hit it. So, therefore, you got a chance that you be losing it. It's best that you land, then shoot 'em.

23

24 MR. ROACH: Mr. Chairman?

25

26 MR. LEE TITUS: Jeff.

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28 MR. ROACH: Just for clarification, Franklin, can you say your last name so we know....

30

31 MR. LEE TITUS: Franklin Paul.

32

33 MR. ROACH: Thank you.

34

35 MR. PAUL: Yeah. Robert Franklin Paul from Tanacross. And this snow-machine hunting, people use snow-machines to go hunting. They use it to hunt and when they do hunt, it's the same thing as running boat. You don't come up on a moose or caribou and then you shoot 'em right from a snow-machine. Sometimes you come up to a trail and you see a track, then you've got to track 'em to get the moose. That's the way it is back around home. We use snow-machines for hunt, yes, but you don't drive right up to the animal and shoot him right there. We've never seen that happen unless you get very lucky. But that's what I was going to ask is, yes, people use snow-machines, boats and stuff like that for hunting, but they use it in different ways. And a lot of times in a boat, you're very lucky if you hit one from a boat. You're moving ten miles an hour upriver or thirty miles, upriver and then you start

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shooting. You'll be lucky if you hit that moose. Most of the time you gotta land and look for it. So, that was -- that's my question. Thank you.

4
5 MR. MAYO: Mr. Chairman?

6
7 MR. LEE TITUS: Yeah.

8
9 MR. MAYO: That's what I was trying to explain, is that, you know, we don't use these machines to run nothing down or harass or nothing. You know, these are access tools. And, you know, when I say if I come around a bend, I'm not going to start opening up and start blasting away for nothing. You have to stop the boat, you know, then using good judgment. If you know you don't have a chance at it, then I'll let it go. And, you know, snow-machines, we never used to run nothing down, you know. It's just an access tool like people on the road system will use pickups to get to where they're going to hunt. That's the way we use our boats and snow-machines because we're not on a road system.

21
22 MR. CHARLIE TITUS, JR.: Mr. Chairman?

23
24 MR. LEE TITUS: Yeah.

25
26 MR. CHARLIE TITUS, JR.: I have a comment on this. Since I do most of my hunting from a boat during the hunting season, I see where Randy's coming, these people from Stevens Village on the river system. And you know when you're out hunting it gets harder and harder to find moose and it's been taken like this before many, many times from the boat. And I seen it happen a lot of times, but I've never seen anybody being a cowboy on a snow-machine. I don't think too many subsistence hunters will go out and shoot from a moving snow-machine. I've never seen it happen for that matter. But being from a river, I think a lot of us know how it is being out there, subsistence hunting. You may come around a bend and that's your only chance, your only chance to take a shot at this moose. I know I would. If it's the only chance I had, I'd take a shot at that moose if my boat was moving. Maybe I'll slow down a little to get a better shot, sure, but if I -- I'd try it before it was gone. And in that case, I guess I support this proposal.

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45 MR. LEE TITUS: If this proposal was adopted, would it conform to the regulations that are currently in effect in this area?

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49 MR. SHERROD: It would change the regulations currently
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in effect in this area. And if I could add one more thing,
Mr. Titus.

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MR. LEE TITUS: Yes.

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MR. SHERROD: There are two issues here, one of which
is the boat issue, of course, and we sort of talked about that.
The other issue is with the snow-machine and, again, because
the term "take" is in there and if you look on page 11, the
definition of "take" is in your little green book. Under
current Federal regulations, let's say if you were to come
across the tracks and potentially use -- follow the tracks on
your snow-machine, you are pursuing, you are therefore taking
and that is therefore against the law. If you were to stop
your snow -- if you were to see something, under current
regulations, you have to stop your snow-machine and physically
get off the snow-machine before you can shoot. You can't stop
the machine and actually shoot from it, using it as a shooting
platform, lean against it. This proposal would not allow you
to shoot from a moving snow-machine. You would have to stop
it. What it would allow you to do, basically, as I say in the
case where you saw animals at a distance, to actually try to
get them if you thought you had a chance to take them, it would
allow you to stop the vehicle and shoot from the snow-machine,
saw your rifle and shoot from the snow-machine without having
to get off in perhaps deep snow or whatever.

27

28

These regulations that prohibit these activities
currently are statewide, but we have a number of exceptions.
So, it says -- well, it's like, I suppose, for trapping beaver.
Trapping beaver means using trap ta-da-ta-da-ta-da, except in
Unit 23 where it says you can use a firearm to take beaver
under trapping. Statewide, it says you have to use traps, but
then we have exceptions. Here we say you can't shoot from a
authorized boat except in Unit 22 where you can actually shoot
swimming caribou there with a rim-fire cartridge and the same
is true in 23. So, what we have is we have, in the beginning
of our books, we have general prohibitions or general no-nos
about taking large game, and then we have a number of
exceptions. And we have a number of exceptions, basically,
with the exception of swimming moose or moose from a boat
that -- but you can do these activities legally in certain
parts of the State. And so what this is asking is to bring
Unit 25 in line with regulations that apply to Unit 22 and 23,
believe, except for the taking of a moose in a moving boat.
This would be the first time that that would be allowed. And,
as I say, in the analysis, at least the staff analysis, we are
posing the question that perhaps not only is this valid -- we
don't see where it's going to biologically impact the

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resource - but maybe the board should consider, instead of having one rule that says no and then -- but yes in Unit 1, yes in Unit 2, yes in Unit 3, that perhaps the board consider it a blanket yes; that these aren't prohibitions.

5
6 Now, again, the warning that we put in there is that you potentially run up against some jurisdictional disputes, particularly in terms of boats in navigable waters and so on. But there's also the statement in there that when the board considered these same disputes in terms of deer in Southeast, Alaska, they decided that they would go ahead and authorize a practice anyway. Does that clarify things a bit? You have 13-- I would suppose you have the option of saying yes for boats and no for snow-machines, no for boats, yes for snow-machines, yes for both, and perhaps because within the analysis where it implies that there might be some statewide applicability or at least applicability to other units that you have jurisdiction over, you might say yes, we'll do it in 25, but how about 12? Let's do it in 12, if it's so-desired.

20
21 MR. CHARLIE TITUS, JR.: Mr. Chairman? Aren't we dealing with only Unit 25 on this proposal? Why are you jumping....

24
25 MR. SHERROD: This proposal is only in 25, but in the analysis which will go forward to the board currently, there is a suggestion that the board look at it, at a statewide level. And we analyzed this in time, it probably would have gone out to all of the regional councils for their review and analysis. What did not happen. All I'm saying is the staff's conclusion is that this probably has application beyond Unit 25. Now, I would suggest that, first of all, you've got the issue of Unit 25. If you agree with the suggestion that perhaps this has applicability or application beyond Unit 25, it could be modified by you at that time to apply to other units. But this is not telling you you have to do that or that's a good thing.

37
38 MR. STARR: Mr. Chairman?

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40 MR. LEE TITUS: Yes, John?

41
42 MR. STARR: What's the reason for this, in Unit 25? Give us a reason why you have this proposal that's put out on Unit 25.

45
46 MR. SHERROD: Because Stevens Village -- this is a unit 47, I suppose, primary use and they are the ones that have requested it. But this has been requested several times. We've dealt with this almost yearly. Different groups have

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requested similar exclusions from the general provision. In one case where it did pass was Unit 22, I believe, because 23, I think, was already on our books originally. And I think last year or the year before, we passed Unit 22. The year before, we passed boats in Southeast, Alaska. So tallying them up, the board's, I suppose, score on this, they supported about half and they rejected about half, and for different reasons, depending upon the local situation.

9

10 MR. STARR: I'm from the Yukon River, too, and it'd be pretty hard for me to vote on this because I know how I hunt. I hunt just like he do, the way Franklin described it. So, I don't know how to vote on this. I 'd like to know the reason why it was put on there.

15

16 MR. GUENTHER: Mr. Chair. A similar proposal of this, as George has said, has come up several times and the reason for this proposal is that, under current regulations, a person cannot shoot from a boat unless that boat, basically, is stopped. A number of rural residents have said that if they do see a moose along a bank and they have the opportunity, that it's easier to get a shot; frequently, to be able to stay under power and keep the boat moving, and so it gives them a better opportunity to shoot a moose. With snow-machines, the argument was brought up - I believe it was two years ago when this came up in another area - that, frequently, the snow was deep enough so that if you had to stop to get off to shoot a caribou or a moose, the snow was so deep it was difficult to get a good rest to shoot from. And this would allow the opportunity to stay on your snow-machine and use the snow-machine to rest against so you had a stable -- something you could rest against so you could get a good shot at the animal. It would make the opportunity to take a moose or a caribou from either a boat or a snow-machine more convenient and easier for a subsistence user.

36

37 When we looked at these proposals, we felt that, first of all, both of these practices are -- do occur right now even though they're in violation of the law. So, we would like -- the proposal requests that we make both of these practices legal, being able to shoot from a boat under power and also from a snow-machine that's stopped to use as a shooting platform. Biologically, we do not see a problem with this, and that it would give the subsistence users an additional opportunity and not be in violation of the law with a practice that they're already doing. Does that answer your question?

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48 MR. STARR: Yeah, but, like they say, you've got to be pretty lucky because there's no wild animal that's going to

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stand there while you're coming with some kind of noise, noise on a snow-machine or the noise in a boat.

3

4 MR. LEE TITUS: Any more comments? Keith?

5

6 MR. KEITH JONATHAN: Keith Jonathan, up here in Tanacross. I've got a comment on this proposal here. I think on this one, the area up on our way, uses boat and snow-machine, too. And I probably would agree with what Randy said, and Charlie, on hunting on a river with a boat, there's a lot of positions you can take. If the moose is already toward the brush and you've got one shot, I think I would take it, too. And if it's where the bank is pretty high and then you gave him -- you're having to get off on the bank to get to get off from falling back into the river or the sand, you've got time -- or you've got choices there. There's a lot of difference in this. And on the snow-machine part, I think the only way you can shoot from a snow-machine -- running snow-machine is if you're left-handed or can shoot left side there or whatever. But I haven't heard of anyone shooting off a snow-machine. But if this is going to affect our area, I think I would agree with what Charlie and Randy are saying. Thank you.

24

25 MR. LEE TITUS: Thank you, Keith. Any more comments on this proposal? Jeff?

27

28 MR. ROACH: Yeah, just one more comment. I would like to see a statewide look taken at this issue. As you said earlier, I don't like all the exceptions to the rule and I think that it should be determined whether we're going to allow it as a subsistence practice or we're not going to allow it as subsistence, rather than deciding on each individual unit as it comes up whether it's going to occur or not.

35

36 MR. LEE TITUS: David?

37

38 MR. JAMES: Much is made these days of trying to develop a working link between the Fish and Game Advisory Committees and the Council. So, I'd like to offer this: that the Yukon Flats Fish and Game Advisory Committee met last week and they reviewed -- at the end of their State proposals, they reviewed Federal proposals. They took a look at this one and they decided to take no action. For whatever reason, they didn't get involved in a lot of discussion either. But at any rate, they didn't feel strongly for or against it. So, I thought the Council just ought to be aware of that.

48

49 MR. LEE TITUS: Okay. Thank you.

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2 MR. CHARLIE TITUS, JR.: How about the Western, the
~~R~~oyukuk River area?
4
5 MR. MATHEWS: Mr. Chairman, Mr. Titus. This proposal
~~was~~ addressed to Unit 25, so they didn't take up 52.
7
8 MR. LEE TITUS: Any more comments on this proposal?
9
10 MR. ROACH: Just one more.
11
12 MR. LEE TITUS: Yeah.
13
14 MR. ROACH: I'm sorry. I keep saying just one more.
~~But~~ let's be sure that Randy takes back to Stevens Village, and
~~anybody~~ else in Unit 25, if we recommend this and it goes --
~~and~~ it's approved, that people understand that specifically for
~~the~~ boats, that the animal that they're shooting at has to be
~~above~~ mean high water on navigable waters. If they're
~~traveling~~ down a river and it's on the bank where they can see
~~it~~ and they shoot it, if Fish and Game is there, they're going
~~to~~ arrest them because it's on State land. If it's up in the
~~brush~~, then they can shoot it, but not if it's down there on
~~the~~ bank, if it's on State land on a navigable waterway.
25
26 MR. CHARLIE TITUS, JR.: And the C&T is defined.
27
28 MR. ROACH: Well, no, not as the C&T is defined. As
~~State~~ land and Federal land are defined.
30
31 MR. LEE TITUS: You're talking about, yeah, within the
~~navigable~~ waters. Yeah.
33
34 MR. ROACH: Right, and that's just my concern. You
~~know~~, I just want those people to know that that potential
~~exists~~.
37
38 MR. CHARLIE TITUS, JR.: That's if it's statewide.
~~Right?~~
40
41 MR. LEE TITUS: No, it's only pertaining -- this
~~proposal~~ is only pertaining to the Federal lands. The majority
~~of~~ the waterways are within -- between the Villages of Stevens
~~and~~ Beaver, the majority of....
45
46 MR. ROACH: I'm just concerned about the people.
47
48 MR. LEE TITUS: Yeah. Majority of the waterways that
~~this~~ affects is between the Village of Beaver and Stevens
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Village on the Yukon River. Any more questions on the proposal? We'll go for a vote on the Proposal 52. All in favor of adopting Proposal 52, signify by saying aye.

4

5 MR. LEE TITUS: Aye.

6

7 MR. CHARLIE TITUS, JR.: Aye.

8

9 MR. MILLER: Aye.

10

11 MS. PETRUSKA: Aye.

12

13 MR. STARR: Aye.

14

15 MR. MAYO: Aye.

16

17 MR. LEE TITUS: All those opposed?

18

19 MR. ROACH: Nay.

20

21 MR. LEE TITUS: One nay.

22

23 MR. MATHEWS: Okay. Mr. Chairman, that brings us up to Proposal 54. Proposal....

25

26 MR. ROACH: Mr. Chairman, I'd like to make a motion that we approve Proposal 54.

28

29 MR. LEE TITUS: Motion on the floor to adopt Proposal 54.

31

32 MR. MATHEWS: Proposal 54 was submitted by....

33

34 MR. LEE TITUS: Excuse me. We don't have a second.

35

36 MR. MATHEWS: Oh, sorry.

37

38 MR. CHARLIE TITUS, JR.: I second it.

39

40 MR. LEE TITUS: It's been moved and seconded. Discussion, Vince.

42

43 MR. MATHEWS: Sorry. This was submitted by Arctic Village Council. It's dealing with Unit 25, the Arctic Village Sheep Management Area. And it wants to amend the regulations to include the drainages of Cane Creek and Red Sheep Creek. Comments on that proposal are just from the Alaska Department of Fish and Game. I don't know if they want to present their comments or if they want me to summarize.

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Sounds like I'm up. Okay. It's on page 2 of the summary of comments. "The Alaska Department of Fish and Game opposes the proposal. The Department maintains the same view of this proposal as expressed when the board rejected it in 1993. There is no valid reason for eliminating non-subsistence sheep hunters from the Cane Creek and Red Sheep Creek. The sheep population is not in danger from sport hunting. The annual harvest by non-local hunters is well below the number of legal hams available. Residents of Arctic Village are not being denied the opportunity to use the area. They can hunt there under State and Federal regulations. In addition, they have exclusive entry to the...." I'll just round it off, 530,000-acre Arctic Village Sheep Management Area "...that is much nearer to Arctic Village and is closed to sport hunters. The State has been informed that the Council of Athabascan Tribal Governments has engaged a harvest recorder in Arctic Village. If so, it would be appropriate to delay any decision on this proposal until evidence about local sheep hunting practices and results have been analyzed. Due to the ongoing resource use conflicts occurring in this locality, the Department recommends that a cooperative working group be created to examine the issue in detail and seek resolution to the sheep management and subsistence use problems in the Arctic Village area."

25

26 Let me check my notes real quick to see if another council commented on this proposal. Yes. It was before the North Slope Regional Council, Region 10, in Barrow. That council voted to support this proposal and that's all the information I have on comments and regional council actions, which would be then advisable to talk to your other staff on further analysis of this proposal.

33

34 MR. CHARLIE TITUS, JR.: What does the Yukon River Drainage -- they met?

36

37 MR. MATHEWS: Please?

38

39 MR. CHARLIE TITUS, JR.: The Yukon River. Did they meet? The area on....

41

42 MR. MATHEWS: Oh, Yukon Flats?

43

44 MR. CHARLIE TITUS, JR.: Um-hum (affirmative).

45

46 MR. MATHEWS: I wasn't able to attend that meeting. I was at the Western Interior. David was there. I don't know if they took it up or not.

49

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1 MR. JAMES: The Yukon Flats Fish and Game Advisory
2 Committee supported this proposal.

3

4 MR. ROACH: Mr. Chair, was there any comment from the
5 staff?

6

7 MR. GUENTHER: Yes. Mr. Chair, Council members. I'll
8 give you a -- I'll try to abbreviate the biological analysis on
9 this for, really, the purpose of time. And I'd just like to
10 make a couple of statements that apply to all these proposals.
11 This is basically the full biological analysis I've done on
12 the ten proposals, so I have a great deal of information. So,
13 if there's information that I don't present here, please feel
14 free to ask it.

15

16 Basically, with this proposal, if you look on page 15
17 of your book, there's a map there. And in 1991, the Arctic
18 Village Sheep Creek Management Area was established. That area
19 originally requested the whole area that's incorporated on this
20 map. When it was established by the Federal Subsistence Board,
21 the area that's cross-hatched which is the area that we're
22 talking about now, the Red Sheep Creek area and a portion of
23 the Cane Creek Drainage, were excluded by the Federal
24 Subsistence Board. So, the Arctic Village Sheep Management
25 Area that exists now is the area that is not colored in on
26 there. It's everything within the dotted lines, excluding that
27 cross-hatched area. The reason for that was that the
28 biological evidence indicated that the whole area had low sheep
29 populations. The area that was approved at that time had such
30 low sheep population that it could not provide for both
31 subsistence and non-subsistence use. And so the board said
32 this will become an area where only subsistence users have the
33 opportunity to hunt sheep. In the Red Sheep Creek area that
34 was excluded, the biological findings were the same as I'm
35 going to present to you, that the sheep population, although
36 low, provided enough legal sheep so that both subsistence
37 harvest and sport harvest could occur in that area and there
38 was not a resource problem.

39

40 Now, I have lots of data if you're interested in that
41 regarding sheep populations in that area, but the gist of the
42 situation is that in the area that's being requested now, the
43 cross-hatched area, we still believe that even though the sheep
44 population is low and it seems to be slightly declining, that
45 the present time, there are still enough sheep in that area
46 that there is not a resource problem. There are enough
47 legal sheep to provide for both subsistence and non-subsistence
48 use. It's also important for you to know that after that
49 original Arctic Village Sheep Management Area was established,
50

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that the people from Arctic Village put in a request for
 reconsideration of the Red Sheep Creek area, the same area
 that -- dealing with this proposal you have before you now.
 They requested that that area be included in the Arctic Village
 Sheep Management Area as an exclusive use area for subsistence.
 The board deferred that proposal and then rejected the
 proposal based on the biological evidence.

Basically, that's all I have unless you have questions.
 As I said, there's a great deal more information. George may
 have some additional information to present on that.

MR. LEE TITUS: Charlie?

MR. CHARLIE TITUS, JR.: Mr. Chairman, I have one
 question. Why would the Arctic Village Council put in such a
 proposal if they didn't think it was a threat to their
 subsistence way?

MR. GUENTHER: The Arctic Village Council, when they
 put this proposal in initially, when they asked for the
 reconsideration of the proposal to include that area, felt that
 the sport hunting activity -- there's one hunting guide that
 has a guided operation out of that area; also the base of the
 valley going into that area, as I understand it, has a landing
 strip and a number of people land there and hunt in other areas
 other than the Red Sheep Creek area based off of that landing
 area. The people from Arctic Village felt that the sport
 hunting activity that did occur in the Red Sheep Creek area
 caused the sheep in the area to move out of the area into other
 areas. The Arctic National Wildlife Refuge, in its sheep
 studies, looked specifically at that to see if that was a
 problem. All of the evidence that they gathered indicated
 that, actually, it was not a problem. The sheep remained in
 the area; that they were not driven out of the area, therefore,
 not excluding the potential for the local subsistence users to
 also harvest sheep in that area.

There was also a feeling that the amount of airplane
 traffic flying through that area inhibited the opportunity for
 subsistence users to harvest sheep in that area. And, again,
 David or George may have additional information to add relative
 to that.

MR. LEE TITUS: Vince?

MR. MATHEWS: Just to make it clear that the submitter
 also has a paragraph in there, in the original proposal, that
 also explains why they want it. So, every proposal has that,

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just so you know. And that'd be on page 10 in your book, just so you know that -- I mean, he's summarized that, also, but also they put it in there.

4

5 MR. LEE TITUS: Any more comments on this?

6

7 MR. SHERROD: I guess I'll just add to what Conrad said. It does appear that there are strong cultural and emotional ties to this particular area. They have asked for it several times. There's fairly good documentation that this area has been used in the past and it's important to them. They cite that the names reflecting Cane Creek, reflecting the fact that canes were used to walk up the mountain, and Red Sheep Creek has to do with the color of the sheep in this particular area.

16

17 The bottom line of the analysis, though, as Conrad pointed out was that basically the biological status of the population is capable of sustaining both the current level of subsistence and sport hunt.

21

22 MR. ROACH: May I ask a question?

23

24 MR. LEE TITUS: Yes, Jeff.

25

26 MR. ROACH: So, the whole gist of this proposal is to enlarge the area that those villages only have the opportunity to harvest in. No other people would have the opportunity to harvest other than the villages listed?

30

31 MR. GUENTHER: That's correct.

32

33 MR. SHERROD: It would be, I guess, comparable to giving them C&T and shutting down the area. Giving them exclusive C&T and shutting down the area to non-subsistence hunters.

37

38 MR. LEE TITUS: Is there a C&T in effect in this area?

39

40 MR. SHERROD: There is some; I'm not sure.

41

42 MR. GUENTHER: Yes, there is. There are five villages that are eligible C&T users in that area. Those villages would include the residents of Beaver, Birch Creek, Stevens Village and -- no, I'm sorry, I'm looking at the wrong page here. Wrong one.

47

48 MR. SHERROD: Oh, I'm sorry.

49

50

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1 MR. GUENTHER: Those villages would include Arctic
 Village, Chalkyitsik, Fort Yukon, Kaktovik, and Venetie. Those
 are the only villages that have -- are C&T eligible villages
 within that area. And the hunting is primarily out of Arctic
 Village. There is probably very little hunting by any of the
 other four villages.

7
 8 MR. LEE TITUS: Yes?

9
 10 MR. ROACH: One more quick question. The area that's
 cross-hatched now is open to subsistence and sport harvest. If
 resource data, biological data showed that the population
 dropped to the level that both sport and subsistence harvests
 would not be feasible in that area, then, the subsistence
 harvester would still be able to hunt or harvest in that area.
 Is that correct?

17
 18 MR. GUENTHER: That's correct.

19
 20 MR. LEE TITUS: Any more? Yes?

21
 22 MR. JAMES: Thank you, Mr. Chairman. I'd like to give
 a position that the Arctic National Wildlife Refuge has on this
 particular issue. I mentioned earlier that the Refuge manager,
 Jim Kurth, and I had traveled to Arctic Village just last week
 and talked about it with the people that live there. It didn't
 take us long to figure out that we need to understand a lot
 more about that situation. Until that time, we cannot support
 the proposal. It's true that we have a mandate to provide for
 subsistence use, but, at the same time, other Refuge mandates
 require that we accommodate other use, too. And, certainly,
 biologically, the argument seems pretty clear that sheep are
 there. But it also is very clear that the people in Arctic
 Village are not talking about that; they are concerned about
 having their access inhibited, restricted, or simply pushed
 out.

37
 38 Jim Kurth and I came to an agreement with Chief Stephen
 Pitt there that we would be returning there -- well, it'd be
 later this month to meet with the tribal council to continue
 our dialogue, get more information and we also agreed that we
 would be going with the appropriate people from the village out
 to that site after break-up and do an on-site inspection. It's
 complicated by such things as at least two allotments that I
 know of that are nearby. And the Refuge manager, Jim Kurth,
 wants to understand where the placement of the airstrip is and
 it's essentially a fact-finding trip that we want to do. While
 we can't support the proposal at this time, we're convinced
 that there's a problem there. People in Arctic Village

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definitely think they have a problem, and that we can't ignore it. So, that's the course of action we're proposing right now. And we will also be working with perhaps Fish and Game. For instance, in their comment, I think in their closing paragraph, they said that they acknowledge the fact that some sort of a working group needs to get together and talk with people. We might be able even, for instance, to come up with an alternative solution, some way that allows them to do the traditional hunting they want without excluding the other use. It's a possibility. So, we're going to explore those things.

MR. LEE TITUS: So, there's a problem in Arctic Village and Proposal 54 wouldn't solve that problem?

MR. JAMES: From the standpoint of Arctic Village, I'm sure that it would. You know, they're very clear of what their intentions are.

MR. ROACH: Mr. Chairman?

MR. LEE TITUS: Yes.

MR. ROACH: It would solve the problem maybe specifically for Arctic Village, but -- I don't know that giving them -- enlarging this area for exclusive use actually would -- it's not biologically sound from what we're hearing from the biologists, and I would like to see some other alternatives being brought forward rather than just closing the area down to everybody except for those specific villages. Right now there's an area set aside, a management area set aside. So, that's why I would oppose this at this time.

MR. MATHEWS: Mr. Chairman, maybe to clear the air or muddy the water, you need to be aware that in Section 815 of ANILCA that authorizing restriction of taking of fish and wildlife for non-subsistence uses on public lands, other than National Parks and Monuments, can only be done unless necessary for conservation of healthy populations of fish and wildlife, and then for reasons set forth in another section. So, that's why you're getting a lot of information on biology. I just want you to be aware of that as a fact.

MR. MORRISON: John Morrison, Fish and Game Department. One of the reasons that the Department was concerned with this proposal is, in answer to Charlie Titus' question about the need for fulfilling their subsistence requirements there, we were unable to understand any difficulty in getting what they needed and so far as in that special area, they can have exclusive use to take two rams per hunter during August 10th to

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April 30th. I'm reading from page 17 in the book. They can take three sheep per hunter, and that's either sex, ram or ewe, in the remainder of Unit 25(A) from October 1st to April 30th, and they can take another ram of 7/8 curl or greater, can be taken August 10 to September 20 in the remainder of Unit 25(A). So, on that basis, it was difficult for the Department to see that there was any difficulty in getting enough sheep for subsistence purposes. So that's why we came to the conclusion that it would be beneficial to get a working group together to look into this question more fully to understand, really, what the problem is before we make a decision on it. Thank you.

12

13 MR. LEE TITUS: Yes, Charlie?

14

15 MR. CHARLIE TITUS, JR.: Again, I feel selfish coming on here again. The G'witchin people -- they're the G'witchin people up in that area, right? I think that's what they're called. The Indians in that area. Again, I don't hear their argument. I read their argument, but I don't see it. I'm having a hard time. I don't like to make decisions on people's resources. I mean I see -- I'm looking in here that they say part of ceremony is to feed their Elders and I have a hard time getting away from that. I'm ready to vote on this. I have a hard time denying them something that they wanted. After all, we're taking away everything -- more and more every day we're taking away resources the Indians traditionally used, and customarily used. We're taking away every day and we're going to deny them again.

29

30 MR. ROACH: Mr. Chairman?

31

32 MR. LEE TITUS: Jeff?

33

34 MR. ROACH: Just in answer to that, they're not denied....

36

37 MR. CHARLIE TITUS, JR.: Their full potential.

38

39 MR. ROACH: Well, you could say that for any area. I mean, we could make exclusive use areas around any village or town or any area. But if there's not a biological reason to do so, then why do so? Why make it exclusive? They can still harvest there and if the resource becomes a problem, then they can, through their customary and traditional use determination, they're allowed to harvest there without any other harvest going on. And I would hate to see a lot of exclusive use areas established for no biological reason.

48

49 MR. CHARLIE TITUS, JR.: But still it was their

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1 traditional and customary hunting grounds, wasn't it?

2

3 MR. GUENTHER: (Nods head)

4

5 MR. ROACH: But they still have access to it.

6

7 MR. LEE TITUS: Okay.

8

9 MR. ROACH: It's just -- the question is whether they
10 get exclusive access or not.

11

12 MR. GUENTHER: Mr. Chair?

13

14 MR. LEE TITUS: Yes.

15

16 MR. GUENTHER: Also one other point just for
17 clarification. That area on the map is not the only area
18 that's hunted for sheep. The area around that is also open for
19 sheep hunting. The area on the map is only there because
20 that's an area that's been closed to all other uses except
21 subsistence use. So, I mean, we're talking about a larger area
22 together. The sheep population throughout the whole area is
23 a low density. Just for clarification.

24

25 MR. LEE TITUS: Okay. Any -- as far as how we're -- if
26 this board decides to take no action, I suppose we'll have to
27 vote this proposal -- we can't vote it down, no.

28

29 MR. MATHEWS: You have the option of taking no action.
30 What option is there. You have the option of rejecting it by
31 voting against the motion to adopt or you can adopt it. The
32 North Slope which is the regional council that has an
33 overlapping C&T voted to support it. I could envision that if
34 you voted different than North Slope, then the board would turn
35 the managing agency staff, and Dave's already mentioned that
36 they're pursuing looking at a cooperative team approach or --
37 I'm paraphrasing here. The State has said that they would --
38 the option would be the board would take no action on it and
39 ask the staffs to go out to see if there are some areas for
40 compromise. This is similar to what we've done with Western in
41 the Yukon-Kuskokwim area. It lengthens it out; the proposal
42 then is not acted on for a longer period of time.

43

44 MR. LEE TITUS: Yeah, the reason I brought up -- I
45 think a lot of the different tribes or villages are really
46 frustrated with the way things are currently set and whether it
47 is State or Federal law. And they're finding out more and more
48 that the way to go, take things into consideration or make
49 other people to listen to them is to propose regulations. And

50

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1 I'm really glad that we're seeing more and more proposed
 2 regulations coming from the outlying villages. But on this
 3 certain proposal, I would vote to take no action until the
 4 agencies, the Federal agencies involved in this area meet with
 5 the Arctic Village residents and all the other villages who
 6 have C&T determination in this village, to come out with some
 7 kind of consensus before this board can take any action.

8
 9 MR. ROACH: I would agree with that, Mr. Chairman.

10
 11 MR. CHARLIE TITUS, JR.: I also would agree with that,
 12 Mr. Chairman.

13
 14 MR. MATHEWS: Okay. Then, does the mover of the motion
 15 adopt then with....

16
 17 MR. ROACH: I request that I rescind the motion to
 18 adopt and we have no action at this time.

19
 20 MR. MATHEWS: Does the second....

21
 22 MR. CHARLIE TITUS, JR.: I second, also.

23
 24 MR. MATHEWS: Does the second concur with that? Then,
 25 there's the need for a motion to take no action and et cetera.

26
 27 MR. LEE TITUS: The Chair entertains the motion to take
 28 action on Proposal 54.

29
 30 MR. ROACH: I make the motion.

31
 32 MR. LEE TITUS: It's been moved.

33
 34 MR. CHARLIE TITUS, JR.: I second it.

35
 36 MR. LEE TITUS: It's been moved and seconded. Any more
 37 discussion.

38
 39 MR. CHARLIE TITUS, JR.: Question.

40
 41 MR. LEE TITUS: The question's been called. All in
 42 favor of the motion, signify by saying aye.

43
 44 ALL MEMBERS: Aye.

45
 46 MR. LEE TITUS: Opposed.

47
 48 MR. MATHEWS: Mr. Chairman, that action then included
 49 our intent that there be some type of effort of working with

50

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the parties to this issue?

2

3 MR. LEE TITUS: Right.

4

5 MR. MATHEWS: Do all the voters understand that?

6

7 MR. CHARLIE TITUS, JR.: Yeah.

8

9 MR. MATHEWS: Thank you. Oh, that means I'm going

10....

11

12 MR. LEE TITUS: Motion to adopt Proposal 55?

13

14 MR. ROACH: Make the motion.

15

16 MR. LEE TITUS: Motion. Second?

17

18 MR. CHARLIE TITUS, JR.: Second.

19

20 MR. LEE TITUS: It's been moved and seconded.

Discussion?

22

23 MR. MATHEWS: Proposal 55 was submitted also by Stevens
 Village Council. It is to add a paragraph establishing the
 Dall River Management Area which consists of the Dall River and
 the Little Dall River Watersheds and is closed to fishing and
 hunting by non-rural residents. There's quite a few comments
 on that. I will bring them into the record, but I encourage
 you to look, because my voice is probably getting a little
 monotonous, look at pages two and three of your summary of
 comments because there's quite a few on that. I will defer to
 the State if they want to submit their comments or not.

33

34 MR. MORRISON: John Burr will give the comments the
 State.

36

37 MR. MATHEWS: Thank you.

38

39 MR. BURR: Once again, I'm John Burr from Sport Fish
 Division in Fairbanks. The State Fish and Game Department
 opposes this proposal. There is currently no reliable
 indication that a conservation concern exists for the pike
 resource which is the primary fishery use resource. And,
 currently, there is already Tier II determination for the moose
 populations in the area so that only the residents of the area
 are able to take moose. In addition to that, there is State
 jurisdiction for the lands surrounding the Dall River and for
 the Dall River itself. And, as I understand it, the Federal
 Subsistence Board does not have jurisdiction in this area.

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1
2 MR. MATHEWS: Mr. Chairman, I think when you get into
deliberation on this proposal, that you'll probably want the
State to stay very close on this to provide information.

5
6 MR. LEE TITUS: Yes, because in the proposal it has to
do with water.

8
9 MR. MATHEWS: It has to deal with -- correct. Okay.
The additional comments that were received were from Tanana
Chiefs, Yukon-Tanana Subregion, Oscar Frank, Jr. out of
Fairbanks. "We support this proposal as an effort to bring
additional management back to Stevens Village's traditional
lands." A letter received from the Council of Athabascan
Tribal Governments, Fort Yukon: "The Council supports the
Stevens Village proposal." A letter was received from the
Alaska Center for the Environment out of Anchorage: "We
support this proposal and feel it would protect the natural
resources that have been used traditionally for generations by
the people of Stevens Village. More conservative management is
needed now because of impacts brought about by opening the
North Slope Haul Road to public access. These lands are being
needlessly damaged by overharvest of fish and game, trespass,
trespassing, and general lack of respect for traditional values."
A letter was received from the Native American Fish and
Wildlife Society.

27
28 Mr. Chairman, and, Council, I have copies of all these
letters if you want to read the full intent. "The Native
American Fish and Wildlife Society supports Proposal 55. As
the population grows, there will be increased pressure on
resources from the urban population. One solution is local
stewardship of fish and wildlife. Adoption of Proposal 55
could be a first step towards comprehensive co-management
agreement to insure the health of the resources vital to the
people of Stevens Village." A letter was received from
Northern Alaska Environmental Center out of Fairbanks.
Competition between sport hunting and fishing interests and
rural subsistence users in the Dall River Watershed has led to
overharvest. We urge the board to support Proposal 55."

41
42 That's all the letters that I know of that were
received on Proposal 55.

44
45 MR. LEE TITUS: Okay. Under discussion?

46
47 MR. SHERROD: Mr. Chair, Proposal 55 was submitted by
the Stevens Village Council and it requests the establishment
of a Dall River Management Unit within 25(D)West, the unit
50

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consisting of the Dall River and the Little Dall River
watersheds. This proposal, in many ways, is reminiscent of the
one we just went through in which it deals with at least real
or perceived competition within an area. Within 25(D) West, the
Federal Subsistence Board has already recognized the resource
problem with moose. Moose in this unit, or the harvest of
moose in this unit, is restricted to those residents of Beaver,
Birch Creek, and Stevens Village on Federal lands and is
handled by a Tier II permit system under State regulation.

10

11 The major species harvested - fish species - is pike.
Again, this proposal deals not only with terrestrial mammals
and other resources, but basically all resources. The pike, as
we've talked about before, is a fish species. Currently, the
Federal Subsistence Board does not have jurisdiction in that
area and it does not have jurisdiction on the lands in the area
which the majority of this sport fishing takes place.

18 So I guess in summary, we have recognized -- the
Federal Program has recognized at least one resource problem,
that is moose, and we've done what we could. Basically,
reached the most restrictive level we can of allocating those
subsistence users, but we lack the authority, currently, to
grant the request for shutting fishing. In regards to the
other resources, there does not seem to be an allocation
problem there and I don't believe that concern for other
resources were brought up in the Stevens Village proposal. I
think that perhaps Mr. James might have some insight on this
because I think they are also working with the Stevens Village
Council on this problem.

30

31 MR. ROACH: Mr. Chairman?

32

33

34 MR. LEE TITUS: Yes, Dave -- I mean Jeff.

35

36 MR. ROACH: The Dall River Management Area that's
proposed, the Federal Subsistence Board's authority only exists
over Federal lands. And so that would only include Fish and
Wildlife Service lands within those drainages. Correct?

40

41 MR. SHERROD: Correct. And that's the upper headwaters
portions of those drainages.

43

44 MR. ROACH: So, that's -- that's what I was just going
to say. So, it's only the upper headwaters portion. What is
the access into that area? Is that area accessible by boat?

47

48 MR. SHERROD: Yes. The upper headwaters portion?

49

50

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1 MR. ROACH: Yes.

2

3 MR. SHERROD: I believe it is; however, I believe based
4 on current studies the majority of fishing activity does not
5 occur in the headwaters. I believe what has happened with the
6 opening of the Haul Road is we have a number of people taking
7 their boats, trailering their boats up there, putting them in.
8 So, there has been an increased, how shall we say, a visible
9 increased number of individuals, outsiders, into the area.

10

11 MR. MAYO: Mr. Chairman?

12

13 MR. LEE TITUS: Yes, Randy?

14

15 MR. MAYO: I'd like to comment on this proposal and why
16 was submitted. You know, this -- the designation, you know,
17 water and the high water mark and the Federal lands and all of
18 that, you know, this very proposal has everything to do as to
19 why we're sitting here, you know. Over the years with the
20 access that the Haul Road created, we're only like 27 miles
21 upriver from the bridge and, over the years, people have been
22 coming off that road, putting their boats in and going up the
23 Dall River and, you know, the use has really increased over the
24 last 20 years to where it's now, where in the summer, four or
25 five boats in a row you can find on any day of the week all
26 summer long going up to that river. Now, there's dead fish
27 floating around in the water, piles of trash, you know, drunken
28 boatloads of people going up there. And, you know, you can't
29 have nothing there. Cabins have been broken into and
30 vandalized and stripped of everything. You know, animals have
31 just been shot and just left there. And one example was some
32 people from the village went up there and there was a dead
33 mother bear there - this is early in the summer - with a small
34 cub. Somebody just shot it down and just left it there.

35

36 You know, it's gotten to the point where we can't even
37 use the creek no more. People -- that's really a special place
38 for us. It's only five miles from the village. And, as they
39 deplete that resource, now they're starting to go up into the
40 flats now. It's just never-ending with people starting to come
41 around with air boats and those little jet skis now. And, you
42 know, in this paperwork here, you know, the position the agency
43 and the State can't support this proposal because, you know,
44 the biological -- you know, they say they can't support this.
45 How can we justify closing this area down to all these impacts
46 when, you know, from what I know, the State didn't even finish
47 this fish survey in 1988. Well, how many years ago was that?
48 You know, over the years, that place is just being swamped with
49 people.

50

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1
2 I think every village that a road has come through, on
3 or nearby has gone through this problem. So, that's just why I
4 say that even though the designation of the water and the high
5 water mark, and the Federal lands and so on, you know, this
6 management area, it's to work towards a co-management
7 agreement with the agencies and the different governments, not
8 to work against each other and bring this thing -- bring it
9 more in line where everybody could understand it and work with
10 it. The way it is now, it's pretty crazy. You can't even
11 understand what all of this means.

12
13 MR. CHARLIE TITUS, JR.: Mr. Chairman, if I may?

14
15 MR. LEE TITUS: Yes, Charlie.

16
17 MR. CHARLIE TITUS, JR.: I pretty much know where
18 Stevens Village Council is coming from because we live in a
19 similar situation in the Minto Flats area. We've seen this
20 happen, and it's very accessible by water and road. We're
21 close to urban areas, and we see this happen all the time.
22 Wanton waste of their wildlife, our wildlife resources. So,
23 this has happened often. And I'm going to support this
24 proposal even though it sets part of it -- at least it sends a
25 message that we will respect our resources. And I think any
26 subsistence resource that we have, every day it's getting
27 smaller and smaller. That goes for even the sea animals, every
28 animals in Alaska. We have less and less room for them, and
29 for the people that live off these animals. To a lot of people
30 and our subsistence users, these things are sacred to them. We
31 don't treat animals like that. At least not from my area or
32 B2s evidently, and a lot of other tribal people. So even if it
33 does set aside a little portion of the Dall River, I'm going to
34 support it. At least it will send a message to the people that
35 we are sincere about our subsistence resources.

36
37 MR. STARR: I want to make a comment on that, too. You
38 see, I'm from on the Yukon there, too, and in the fall time,
39 the boats that's passing Tanana there and just in that one
40 river, it's the Nowitna River, 200 boats went in there. They
41 brought out 150 moose. And that's all this big-time hunters.
42 And talk about waste, a lot of times you see black bears and
43 buff floating down the river. And one fall, we was hunting
44 and you see black bear there. Fall time they're really good,
45 black bears are. And you see just the -- they just take the
46 hide off. And if it was fresh, we can just solve it for
47 ourselves. I can -- I'll do it for myself, but it was there so
48 long you couldn't do nothing about it. And you see black bears
49 floating down the river. And I support this, too, because like
50

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1 I say you've got to send a message someplace and I think this
2s a good place to send -- I mean, this proposal will do that.

3
4 MR. LEE TITUS: This proposal deals only with the upper
5 portions of the Dall River, right? It doesn't have -- I see
6 the mouth and the lower portions of the Dall River are under
7 State land.

8
9 MR. SHERROD: That's correct.

10
11 MR. MAYO: Well, the mouth....

12
13 MR. LEE TITUS: Well, whether it's corporation land,
14 the State still has jurisdiction, right, as far as hunting and
15 fishing?

16
17 MR. GUENTHER: Mr. Chair?

18
19 MR. LEE TITUS: Yes.

20
21 MR. GUENTHER: Approximately, the first 50 to 60 miles
22 of the Dall River from the Yukon up are not on Federal land.
23 So, you've got to go about 50 to 60 miles. Now, the rivers
24 and a great deal, so that's an estimate of the distance before
25 you get to any Federal lands. And that goes for the Yukon
26 Flats National Wildlife Refuge.

27
28 MR. LEE TITUS: Fifty water miles or 50 air miles?

29
30 MR. GUENTHER: Yeah, 50 to 60 water miles, a lot less
31 air miles.

32
33 MR. CHARLIE TITUS, JR.: Mr. Chairman, if I could.
34 You've got to take into consideration, you know, how far 50
35 miles is up the Tolovana River. We could go a lot further than
36 that, so it could be a long ways up there. They could be right
37 in their back yards. It's how accessible you are on the
38 rivers. See, 50 miles isn't very far.

39
40 MR. LEE TITUS: Before I either make a pro or con
41 statement on this proposal, I think we'll have to get into more
42 technical details on closing fishing in this area, because
43 that's what this proposal deals with.

44
45 MR. BURR: Mr. Chairman, I have a lot of biological
46 information that I could present. But the bottom line is that
47 the data that we have -- and there was a two-year study done in
48 88 and '89 that was completed. The first year was primarily
49 to determine if it was a closed population in the Dall River or
50

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hot, and to mark enough fish so that they could attempt to estimate the abundance of Northern Pike in the Dall River. The second year was primarily a recapture event based on the marking that happened in 1988. And from that study, what was determined was that the Northern Pike population that is using the Dall River is part -- is only a part of a much larger population that goes at least from Hess Creek downstream of the Haul Road bridge up to nearly the Hodzana River.

9

10 And so based on that information plus the size and age of pike that were present in the river at that time, and the level of subsistence and sport harvest, it was clearly shown that that level at that time was sustainable and was no threat to the population. That was in 1989, was the last time that that work was done. We have estimates of harvest and of sport fishing effort from the Statewide Harvest Survey which is a mail-out survey for every year up through 1993. And what that indicates is that the harvest level has been quite moderate.

19

20 One other piece of information, in 1987 a similar proposal to this was put before the Alaska State Board of Fisheries. At that time, we did not have any of this information. The Board of Fisheries reduced the allowable harvest to one large pike per trip for sport anglers and they would keep four small pike, and then we did the population study. The harvest level has been brought to about one-quarter of the record high harvest that was used to estimate whether or not the harvest was sustainable. The only indication that we have that effort has increased at all was that between 1992 and 1993, the fishing effort increased significantly -- well, I take that back; it increased by about a third. However, the harvest level remained the same which indicates to us that the fishing regulation that is in place is being effective at reducing -- controlling the harvest to a reasonable level.

35

36 One other point is that since this proposal was given by the people of Stevens Village, the Fish & Wildlife Service associated with the Refuge there, and Alaska Fish and Game, and the people from Stevens Village have begun to put together a program to be in the water this summer on the Dall River to monitor the amount of use, to estimate the kind and location of harvest of Northern Pike within the river, and I'd like to stress that the way this is being approached is as a cooperative effort with each of the parties that's involved having a real voice in planning the project and in carrying out and writing up the report. So, even though we don't have any biological information that suggests that we have a conservation problem, we are by no means ignoring it, and the Department of Fish and Game has made a commitment to gain more

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information about patterns of use in the area, in addition to
information about the status of the Northern Pike population.

3

4 MR. LEE TITUS: I had a question, but I don't know how
5 to put it. This proposal would close fishing and hunting to
6 non-rural residents in the upper portions of the Dall River
7 area, right?

8

9 MR. SHERROD: It couldn't affect fishing because
10 fishing is currently not under our jurisdiction. Moose hunting
11 is already closed. So, basically, it would only affect the
12 hunting of other animals. Mr. Chairman, if I could add
13 something? I think that we've had three individuals on this
14 board talk about a similar problem of abuse and disrespect for
15 the land, and I think there is probably a need to send a
16 message. I'm not sure this proposal will send that message.
17 It really will not accomplish much. I can't perceive it
18 getting through the board because of jurisdictional problems.
19 Now, I'm only guessing at that. I think if this is a concern,
20 that you have the avenue of your Annual Report or going to the
21 Secretary directly and talking to him about this problem. I
22 think it is a real problem and I don't think anyone is
23 discounting the problem of increased competition and possibly
24 abuse. My personal opinion, though, is this proposal, though
25 has lots of merit and I'm sure it's well-intended and it
26 speaks of real problems, is the avenue to express that message.

27

28 MR. LEE TITUS: Yeah, I understand the problem between
29 the State's fisheries and the subsistence users on the Yukon
30 River which I think would never go away for quite a while. It
31 seems like everybody is gathering data and doing studies, this
32 and that, and nobody seems to come up with the answers. And it
33 seems like the people living in the rural areas are the ones
34 that are most affected by these decisions. But I think that
35 something has to be done and some steps have to be made to at
36 least take the first step toward going somewhere. And I know
37 there's a lot of issues. Whether it's adopted by the board or
38 not, I know this proposal has a lot of legal issues presented
39 to it. And so I'll speak in favor of this proposal just to
40 find out the legalities.

41

42 MR. ROACH: Just want to cause trouble.

43

44 MR. LEE TITUS: Yep, just want to cause trouble.

45

46 MR. CHARLIE TITUS, JR.: Call for the question, Mr.
47 Chairman.

48

49 MR. LEE TITUS: We have one more comment before we....

50

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1
2 MR. TED HEUER: Mr. Chairman, my name is Ted Heuer and
3 I'm speaking on behalf of the Yukon Flats National Wildlife
4 Refuge. I just wanted to state that although the Refuge does
5 not support this proposal for basically the same reasons that
6 George has already talked about, we don't feel like it really
7 addresses the issue. Most of the area where the heavy use
8 takes place is either conveyed to or selected by a village
9 corporation and the data just does not support closing the area
10 to outside use at this time. That aside, I wanted the Council
11 to know that we are taking efforts to address the concerns of
12 the people in Stevens Village, and I think it's important to
13 note that the Refuge helped Randy and TCC set up a meeting in
14 Stevens Village on January the 17th. We had a bunch of people
15 from Stevens Village there, we had representatives from the
16 Refuge, Alaska Department of Fish and Game, Alaska Department
17 of Transportation, Tanana Chiefs Conference, Doyon, Native
18 American Fish and Wildlife Society, Council of the Athabaskan
19 Tribal Governments, Alyeska, and I probably left some people
20 out. And I think it was a real excellent opportunity to get
21 everybody together that has either some management jurisdiction
22 or some interest in the Dall River Watershed and talk about the
23 issues. And, as a result of that meeting, the Refuge suggested
24 setting up a smaller work group of really the principal
25 agencies involved and, by that, I mean the Alaska Department of
26 Fish and Game, BLM, Department of Natural Resource, the Refuge
27 and, of course, Stevens Village, to focus on some of the
28 concerns that were expressed at the meeting.

29
30 We had our first meeting of that work group this past
31 Tuesday; we had another short meeting yesterday at lunchtime
32 with Randy, and we basically agreed to pursue this creel census
33 and harvest survey at the mouth of the Dall River that John
34 Barr was talking about. And I'm sure John can elaborate more
35 on the study plan which he's developing for that project. I
36 guess the point I want to make is I think we're starting really
37 an excellent cooperative effort - Stevens Village, the State and
38 the Federal agencies - and I think the creel census should help
39 determine what the level of harvest is and how much use is
40 taking place on the Dall River, and it will provide us with the
41 kind of information we need to propose and act on regulations
42 in the future. So, I just thought that was important for the
43 Council to know, that there are efforts underway to address
44 this issue.

45

46 MR. LEE TITUS: Good to know.

47

48 MR. ROACH: The question's been called, I believe.

49

50

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1 MR. LEE TITUS: Yeah, before -- I'd just like to make
 2 one more last comment on this proposal before -- over-use,
 3 accessible access. It's really hard to do studies and I know
 4 the Federal agencies are doing all kinds of studies and the
 5 State, like I said earlier, are doing all kinds of studies.
 6 But what we're dealing with here is public access. Which kind
 7 of studies -- are they going to count how many boats are going
 8 up and down the Dall River or which kind of studies are they
 9 going to do? Are they doing fish studies or moose counts or
 10 whatever? I mean I understand the local concerns on this
 11 proposal, and the agencies say we're going to deal with that,
 12 we're going to do that. I mean this has been a problem for too
 13 long. We have this problem up in this area. Public access.
 14 Everybody wants to go out, but when you get a whole bunch of
 15 boats, especially on holiday weekends, I can understand their
 16 concern. And there's no State law that prohibits them from
 17 doing that, especially on this river. And I think we have to
 18 go back to the State with this proposal.

19
 20 Did you have a comment? The question has been called
 21 on the proposal. All in favor of the proposal say aye.

22
 23 MR. LEE TITUS: Aye.

24
 25 MR. CHARLIE TITUS, JR.: Aye.

26
 27 MR. MILLER: Aye.

28
 29 MS. PETRUSKA: Aye.

30
 31 MR. MAYO: Aye.

32
 33 MR. STARR: Aye.

34
 35 MR. LEE TITUS: All those opposed?

36
 37 MR. ROACH: Aye. Correction, nay.

38
 39 MR. LEE TITUS: Before we get into Proposal 56, we'll
 40 take a short break.

41
 42 (Off record)
 43 (On record; 4:35 p.m.)

44
 45 MR. LEE TITUS: All right. We're going to come back to
 46 order. I just have an announcement before we get on record
 47 that I've been asked by the residents of Tanacross that they're
 48 having their dog race this weekend and they're having a bunch
 49 of stuff going on there tonight. And if you have any free
 50

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time, you can stop by there and pay them a visit. Okay. We're
Back into -- Jeff?

3

4 MR. ROACH: If we're back in session, I need to state
my reason for voting in opposition of the last proposal, if I
may.

7

8 MR. LEE TITUS: Okay.

9

10 MR. ROACH: I understand that there's a problem in the
area of the Dall River and why this proposal was made. The
only reason that I opposed it is because right now there's not
biological data present to support the proposal as written.
And I understand the reason that the Council, the remainder of
the Council voted for it, but that's the reason that I did not.

16

17 MR. LEE TITUS: Okay. Thank you. The Chair entertains
a motion to adopt Proposal 56.

19

20 MR. ROACH: Mr. Chairman?

21

22 MR. LEE TITUS: Yes, Jeff?

23

24 MR. ROACH: I make a motion that we approve Proposal 56
based on the -- with the amendment that the 150 bull....

26

27 MR. LEE TITUS: So, you want to change the 200 to 150?

28

29 MR. ROACH: That's correct. I'm just trying to think
of the way to say it. I want to make it 150 bulls and I would
like to make the date November 15th.

32

33 MR. LEE TITUS: Motion on the floor with the amendment.

34

35 MR. MILLER: Second.

36

37 MR. LEE TITUS: Oh, it's not an amendment; it's a
motion. It's been moved and seconded. Discussion?

39

40 MR. MATHEWS: Mr. Chairman, I'll share with you the
comments of the proposal and that's all that needs to be done
and that because it's clear as we go through it what the
proposal that is before you, as read into the record, is.
Okay. Proposal 56, I'll ask the Department of Fish and Game
if they want to -- I assume they're at the table, so they
probably want to share their comments.

47

48 MR. GARDNER: Thank you, Mr. Chair. Basically, the
Department, the way we stand, is that we'd like the Council to

50

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support the recommendations the Fortymile Management Team has
in place which is, as Jeff Roach made a motion, a quota of 150
and a season date starting on November 15th to run to
February 28th.

5

6 MR. LEE TITUS: So you're speaking in favor of this
proposal?

8

9 MR. GARDNER: In favor of the proposal with the change
in the quota and change in the season date.

11

12 MR. LEE TITUS: Okay.

13

14 MR. MATHEWS: Mr. Chairman, other letters that were
sent were from the Upper Tanana-Fortymile Advisory Committee
which is on page 4 of your summary of comments. "As the
originator of this proposal, we recommend modification of our
proposal for a harvest quota of 150 bull instead of 200," and
that is -- that's what you have in front of you now, "...and a
winter season to open November 1 instead of October 15th. The
committee felt that increase the quota was not warranted based
on past use of the herd by Federal subsistence users (20.7%
were harvested on Federal lands). Opening the season in
October could also result in overharvest because of high
probability of the herd crossing the Taylor Highway and
possibly a high illegal harvest because of crossings during the
last 10 years occurred on State land. There is some data to
indicate that bulls are still in rut in mid October and are not
manageable. After October, the herd forms small groups and spreads
over a large portion of its range and becomes less vulnerable
to hunters. By opening the season November 1st, Federal
subsistence users will still benefit from a longer season. The
chance of overharvest would decrease substantially and meat
quality throughout the hunt would be excellent." A copy of the
full letter, I have here if you'd like to see that. That's the
only comments that were received on 56.

37

38 MR. LEE TITUS: Yes, Conrad.

39

40 MR. GUENTHER: Mr. Chair, the Fortymile Herd has
already been discussed several times during this meeting and so
I'm not really going to give any biological information. The
only things that I would like to say are that we have suggested
these conclusions that the board defer action on this
proposal and the reason for that is that with the ongoing
planning effort, the comprehensive planning effort that's
underway that we plan on having finished by next fall, that no
action be taken regarding this herd until all of the parties,
which include representatives of all the local subsistence

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1 users, are ready to take action.

2

3 From strictly a biological perspective, we have no
4 opposition to what has been recommended by Mr. Roach and by
5 ADF&G. That's all I have to say unless you have some specific
6 questions regarding the herd.

7

8 MR. LEE TITUS: When is the Federal Board going to
9 consider these proposals?

10

11 MR. MATHEWS: Yes, these will be before the Federal
12 Board.

13

14 MR. LEE TITUS: When?

15

16 MR. MATHEWS: Oh, at the April 10th through 14th
17 meeting in Anchorage.

18

19 MR. LEE TITUS: Okay. Any more comments? Questions?
20 Are we ready for a vote on this proposal?

21

22 MR. CHARLIE TITUS, JR.: Call for the question,
23 Mr. Chairman.

24

25 MR. LEE TITUS: The question's been called. All in
26 favor of the proposal, signify by saying aye.

27

28 ALL MEMBERS: Aye.

29

30 MR. LEE TITUS: Opposed? (Pause) The Chair entertains
31 the motion to adopt Proposal 57.

32

33 MR. CHARLIE TITUS, JR.: So moved.

34

35 MR. LEE TITUS: It's been moved.

36

37 MR. MILLER: Second.

38

39 MR. LEE TITUS: It's been moved and seconded.
40 Discussion.

41

42 MR. MATHEWS: Mr. Chairman, on Proposal 57, the State
43 may want to share their comments and we have one other comment
44 from the Upper Tanana-Fortymile Local Advisory Committee. So,
45 the State may want to share their comments about Proposal 57
46 which deals with Unit 11 and 12 caribou, the Mentasta Herd.

47

48 MR. GARDNER: Thanks, Mr. Chair. This isn't a herd
49 that I personally deal with biologically much, except when it

50

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moves over here in Unit 12. I will keep my comments just to that time. The way this proposal, you know, is written, the problem I can see is kind of an allocation issue in that if -- you know, after -- you know, Bill Route from Park Service outlined the herd and what the kind of allowable take on that herd is. If, you know, this fall hunt happens, it would definitely affect any kind of a winter subsistence hunt over here. And it's kind of an allocation issue because it would definitely affect the hunt that, you know, 250, 260 caribou get shot minimum each winter here.

11

12 MR. LEE TITUS: Jeff, did you have something?

13

14 MR. ROACH: Yes, I had a comment on this. We've already approved a Mentasta Caribou Management Plan that deals with some of the issues brought out in here, and it specifically deals with the issue, at the end of the preliminary conclusions on page 30, which concerns the villages of Northway and Tetlin and how they would be affected by this. I think that at this time it would be a good idea to oppose this and just continue to use the Cooperative Management Plan that we already approved. There's also a comment by the Fortymile Advisory Committee.

24

25 MR. MATHEWS: Yes. Did you want me to cover the Fortymile Advisory Committee comment?

27

28 MR. LEE TITUS: For the record, yes.

29

30 MR. MATHEWS: Okay. The Upper Tanana-Fortymile Local Fish and Game Advisory Committee of the Tok area. "The Committee opposes this proposal based on the Mentasta Herd's current size and trend. The quota was much too high. Any bag limit should be bulls only and restricted to one percent of the herd to reduce the possibility of causing rapid decline in the bull:cow ratio." And that's the only other -- that concludes all the comments on 57.

38

39 MR. LEE TITUS: This proposal came from the Copper River Native Association. I think that -- I don't know, I can't either make a statement for or against this proposal because, I don't know, I believe that these people that wrote the proposal have had access to this resource anyway and to vote against this proposal would only make them outlaws, anyway. That's what I think anyway, or I know that everybody was concerned about the low population of the Mentasta Caribou Herd and that has a high priority, but I guess we're just talking about 29 animals in this proposal. Jeff?

49

50

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1 MR. ROACH: Just -- my concern is that if we take
2 action to approve the proposal, that it could affect the
3 Cooperative Management Plan that we already passed. We could
4 take no action on it at this time as an option.

5
6 MR. GUENTHER: Mr. Chair?

7
8 MR. LEE TITUS: Yeah?

9
10 MR. GUENTHER: Let me just make a couple of comments
11 again. Probably everybody is aware from the discussion the
12 other night that this herd has fallen significantly. It's
13 really a herd in trouble. I believe it was four years ago that
14 the Federal Subsistence Board closed all harvest on this herd.
15 The problem that we are looking at right here, really, is a
16 problem with if there is a harvest -- we know that a few
17 animals could be taken out of this herd, a few bulls. It would
18 not damage the reproductive potential of the herd. It's a very
19 small number of animals. If those animals are specifically
20 targeted which this proposal would do, then, that would act
21 upon what we call incidental harvest during the winter when the
22 Nelchina animals come through here and the Mentasta animals mix
23 with them.

24
25 At this time, the winter harvest on Nelchina animals is
26 not opened until the ratio of Nelchina to Mentasta animals is
27 such that the possibility of Mentasta animals being harvested
28 reduced substantially to actually below the number that
29 realize could be harvestable without damaging the reproductive
30 potential of this herd. If those animals are taken in a hunt
31 that specifically targets Mentasta animals, it would impact on
32 the ability of the Federal government and the State government
33 to open up the winter hunt in this area on Nelchina animals.

34 This is where the problem comes in.

35
36 MR. LEE TITUS: If it's all right with the maker of the
37 motion, I move that we take no action on this proposal.

38
39 MR. ROACH: That's you, Charlie.

40
41 MR. CHARLIE TITUS, JR.: Mr. Chairman?

42
43 MR. LEE TITUS: Yes.

44
45 MR. CHARLIE TITUS, JR.: Yes, I'll second the....

46
47 MR. LEE TITUS: Okay.

48
49 MR. ROACH: And, Chuck, you're the seconder.

50

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1
2 MR. LEE TITUS: Chuck, you're the second?
3
4 MR. MILLER: Yes.
5
6 MR. LEE TITUS: Okay. So, do we have to act on....
7
8 MR. MATHEWS: Well, you have the motion to take no
9 action, so you could vote on that.
10
11 MR. LEE TITUS: Okay.
12
13 MR. MATHEWS: Do we have anybody here that was at the
14 Southcentral meeting to know -- I've had no report from
15 Southcentral, so I'm -- but, anyway, yes, you need to vote on
16 our action to take no action.
17
18 MR. ROACH: I make the motion that we take no action on
19 this one.
20
21 MR. LEE TITUS: Okay. It's been moved.
22
23 MR. CHARLIE TITUS, JR.: I'll second it.
24
25 MR. LEE TITUS: It's been moved and seconded. Any more
26 discussion? Hearing none, all in favor of taking no action,
27 signify by saying aye.
28
29 ALL MEMBERS: Aye.
30
31 MR. LEE TITUS: Opposed? We're on to Proposal 58. A
32 motion to adopt Proposal 58?
33
34 MR. CHARLIE TITUS, JR.: Move to adopt, Mr. Chairman.
35
36 MR. LEE TITUS: It's been moved to adopt 58. Is there
37 a second?
38
39 MR. STARR: I'll second.
40
41 MR. LEE TITUS: It's been seconded. Discussion?
42
43 MR. MATHEWS: Mr. Chairman, Proposal 58 was submitted
44 by Eagle Advisory Committee. It deals with moose in Unit 20(E)
45 and in 25(B). There are two comments that were received, one
46 from the Alaska Department of Fish and Game and I think they'll
47 cover that one, and Upper Tanana-Fortymile Advisory Committee.
48 So maybe I should just go through Upper Tanana and let Craig
49 into this, if you'd like.
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1
2 MR. GARDNER: Do you want to go first?

3
4 MR. MATHEWS: Yeah, I'll go with Upper Tanana because I think when you get into dis- -- anyway, we'll go ahead with that. Upper Tanana-Fortymile Advisory Committee. "After evaluating the current population status, trend, and sex and age composition of the area's moose population, the Committee felt that adoption of this proposal would benefit local subsistence users without causing negative impacts on the moose population." The committee supported the proposal.

12
13 MR. LEE TITUS: Yes. Craig?

14
15 MR. GARDNER: Thanks, Lee. The Department, on our comments -- actually, it says that we were neutral. That was a mistake. Actually, we are also in support of this proposal. Biologically, in both 20(E) and 25(C) [sic], the bull:cow ratios are both high and we don't feel that the level of harvest that would occur, you know, the subsistence harvest that would occur would detrimentally affect this moose population.

23
24 MR. LEE TITUS: Thank you, Craig. Any more comments?

25
26 MR. GUENTHER: Mr. Chair, just a couple of comments. In our analysis, we agree with ADF&G in their comments relative to the moose population. We feel that this proposal would have little effect. You might want to look at the map on page 34 so that you know the areas specifically that we're talking about. It would establish a small area in the lower portion of 25(B) along the Yukon River. The shaded areas there are the Federal lands that would be involved in this, and it would establish an area in the upper portion of 20(E) along the Yukon River.

35
36 One other thing that I think is also a consideration here. It appears that nearly all of the local harvest in this area occurs by hunting off of the river and we, again, get into this problem of Federal jurisdiction of waterways. It needs to just be reiterated that all of the waterways that would be included in this and all of the lands to mean high water are not within Federal jurisdiction, even though they're within Federal lands. And so this, potentially, could cause some problems for subsistence users from the standpoint that now the State and Federal seasons will not align. That's all I have, unless you have specific questions.

47
48 MR. LEE TITUS: Jeff?

49
50

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1 MR. ROACH: Just a quick comment. I agree that there
 2s a problem with the alignment of the dates, but there's only,
 3eally, a five-day difference increasing the season. So that
 4an probably be dealt with fairly easily and this would
 5rimarily affect the residents of Eagle. And I think that with
 6proper education, they can be informed of the regulations.

7
 8 MR. LEE TITUS: Any more comments? Hearing none, all
 9n favor of the proposal, signify by saying aye.

10
 11 ALL MEMBERS: Aye.

12
 13 MR. LEE TITUS: Opposed? The Chair entertains the
 14otion to adopt Proposal 59.

15
 16 MR. ROACH: So moved.

17
 18 MR. LEE TITUS: It's been moved.

19
 20 MR. MILLER: Second.

21
 22 MR. LEE TITUS: It's been moved and seconded.
 23iscussion?

24
 25 MR. MATHEWS: Mr. Chairman, this proposal was submitted
 26 the Tetlin National Wildlife Refuge. It deals with moose in
 27nit 12, and we have two comments submitted on that, one from
 28he Alaska Department of Fish and Game and one from Upper
 29anana-Fortymile. Upper Tanana-Fortymile Advisory Committee
 30pported the proposal. "By requiring a Federal registration
 31ermit hunt, the effects of this winter subsistence hunt on the
 32ocal moose population could be better quantified without
 33causing undue hardships on the subsistence user." I think the
 34ate will cover their comments, and I believe there's Refuge
 35aff here to assist you.

36
 37 MR. GARDNER: Over on the State side, actually, I am in
 38pport of this proposal. It would make it easier for the
 39efuge to administer their hunt. They've always been very good
 40 visiting the villages to distribute the permits. And so I
 41agree; I think that we'd get better administration of the hunt,
 42us it wouldn't cause the subsistence hunter much problems.

43
 44 MR. LEE TITUS: I speak in opposition of this proposal.
 45nless there's an amendment, I don't know who out of the
 46ederal agencies has the jurisdiction to dictate whether the
 47ame of the Tetlin Refuge being changed to Native corporation.

48
 49 MR. DAVE DAPKUS: Mr. Chairman, Dave Dapkus

50

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representing the Tetlin Refuge. That was a mistake on our part. We were trying to get the proper legal name in there. We've since discussed it with Danny Adams and we'll go back to the solicitor and get the right name. It was one thing or another we were trying to push. We were trying to get the proper name and we thought it was wrong in the existing proposal. So, that will be corrected.

8

9 MR. LEE TITUS: So is it okay right now to make an amendment to the original proposal? Yes?

11

12 MR. GUENTHER: Mr. Chair, in the discussion on page 38, you'll notice at the bottom of the page in the last paragraph, when we looked over this proposal we found that the area as it was described within the proposal actually was incomplete and left the area having an open boundary. So the area wasn't closed. On re-looking at this area in discussion with Bob Schultz from the Refuge, we came up with a new definition. And the definition is that last paragraph on page 38 and that definition reads: "Unit 12. That portion drained by the Tanana, Nebesna, and Shushana Rivers within the Tetlin National Wildlife Refuge and those lands within Wrangell-St. Elias National Preserve, north and east of a line formed by the Ackkerel Lake Winter Trail from the Canadian border to the southern border of the Tetlin National Wildlife Refuge."

26

27 That definition creates a closed polygon and eliminates the problem dealing with the improper terminology of those lands there. And we recommend that that be the modification that's made in the description of that area if this proposal is adopted.

32

33 MR. ROACH: Mr. Chairman?

34

35 MR. LEE TITUS: Yes.

36

37 MR. ROACH: I would like to amend my motion to change the boundaries to that listed on page 38, the last paragraph.

39

40 MR. LEE TITUS: Okay. So, in the their original proposal, I'll say Unit 12 and then after that will be what's written in the last paragraph of page 38. Is that the amendment?

44

45 MR. ROACH: Yes, that is the amendment till we get to one-antlered bull.

47

48 MR. LEE TITUS: Yeah.

49

50

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1 MR. ROACH: That -- from "Unit 12" to "one-antlered
Bull," that physical description will be changed to what's in
the last paragraph on page 38.

4
5 MR. LEE TITUS: Okay. There's an amendment on the
floor. Is there a second on the amendment?

7
8 MR. MILLER: Second.

9
10 MR. LEE TITUS: It's been moved and seconded on the
amendment. Any more discussion?

12
13 MR. MILLER: Yes, Mr. Chair.

14
15 MR. LEE TITUS: Yeah.

16
17 MR. MILLER: Would these deal -- what you're saying is
they're taking out Tetlin Native Corporation, then? That won't
be mentioned? That won't be an issue of this no more?

20
21 MR. GUENTHER: Yes, that's correct. To define the
area -- actually, the only area that was covered under the
Federal lands was that -- basically, that portion of the Tetlin
National Wildlife Refuge and a very small area of the Park.
And all of the locations are on standard topo maps and it was
much -- we felt this was a much clearer definition of the area.
The area was somewhat confusing before and actually had an
error in it because one side of it was left open.

29
30 MR. MILLER: Thank you.

31
32 MR. LEE TITUS: Any more discussion on the amendment?
Hearing none, all in favor of the amendment, signify by saying
aye.

35
36 ALL MEMBERS: Aye.

37
38 MR. LEE TITUS: Opposed? Back to the main motion as
amended, all in favor of -- oh, any more discussion on the main
motion as amended? Hearing none, all in favor of the main
motion as amended, signify by saying aye.

42
43 ALL MEMBERS: Aye.

44
45 MR. LEE TITUS: Opposed? I think we're down to last --
oh, no, one more.

47
48 MR. MATHEWS: No.

49
50

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1 MR. LEE TITUS: Oh, we've got the statewide ones, too,
2 right? The Chair entertains a motion to adopt Proposal 60.

3
4 MR. ROACH: So moved.

5
6 MR. LEE TITUS: It's been moved. Second?

7
8 MR. MILLER: Second.

9
10 MR. LEE TITUS: It's been moved and seconded.
Discussion.

12
13 MR. MATHEWS: Mr. Chairman, Proposal 60 is from the
Bureau of Land Management. It deals with sheep in Unit 25(A)
and that is to have a no-open season for the area described in
the proposal. Proposal 60 has one comment and that's from the
Alaska Department of Fish and Game. So, I'm not sure if they
want me to summarize or if they will cover it. (Pause) Seeing
no one at the table, I would assume I can summarize 60, the
State's position on 60.

21
22 Okay. Mr. Chairman, based on across-the-room
communication with the State and what's in front of you, the
State supports Proposal 60. Eliminating this hunt would reduce
confusion and unnecessary administrative work. That's the only
comments that were received.

27
28 MR. LEE TITUS: Okay. Any more comments on this
proposal?

30
31 MR. EDDIE DEMIT: What they're trying to say is they're
going to access stuff, you know. They've got airplanes,
they've got snow-machines. We don't. They're trying to say
that we (inaudible; away from microphone). What we're trying
to say is we don't have it. We don't have a plane, we don't
have the stuff that we can go there and hunt.

37
38 MR. LEE TITUS: We're not talking about access on this
proposal on this proposal. Do you have a comment on this
proposal, George?

41
42 MR. SHERROD: Yes, Mr. Chair. This proposal would
close a small portion of 25(A), the Haul Road or Dalton Highway
Corridor. You've got the map there. I would like to point out
that we did have -- there's one mistake in the write-up and
that's under discussion, the second paragraph. It should just
read, that last sentence, "A Federal registration permit is
required." The rest of the sentence should be deleted because
it's required for both hunts.

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1
2 I guess the fundamental point or the main issue of this
3 is that in the last board actions, the access and use of
4 firearms was addressed for the Dalton Highway Corridor.
5 Currently, none of the communities that have a positive C&T
6 have a recognized use of firearms or vehicles within the
7 Corridor. So, basically, fundamentally, there's no access to
8 it. We have no report of communities that have current C&T
9 status having used sheep in this area and during the time that
10 the permit hunt was conducted, not a single permit was applied
11 for. So, basically, it's somewhat of a, I guess you would say,
12 housekeeping effort at this time because no one uses it. No
13 one that can use it can use a firearm. It's simplifying the
14 regulations.

15
16 MR. ROACH: Mr. Chairman?

17
18 MR. LEE TITUS: David.

19
20 MR. JAMES: The Yukon Flats Fish and Game Advisory
21 Committee also reviewed this proposal and they voted to support
22; there was one abstention and one vote in opposition. The
23 two people who chose not to support it did so, as I understand
24, primarily because of the big issue that this represented to
25 their way of thinking -- this represented another elimination
26 of potential subsistence opportunity. But the majority of them
27 didn't see it that way, so they did support it.

28
29 MR. LEE TITUS: Vince?

30
31 MR. MATHEWS: I failed to inform you that the North
32 Slope Regional Council did take this up at their meeting and
33 they took no action on Proposal 60.

34
35 MR. LEE TITUS: Did you have a comment?

36
37 MR. ROACH: No, I was just going to say it seems to
38 just be a -- to try and eliminate a little paperwork and it
39 doesn't really affect any subsistence users. So -- and the
40 Advisory Committee is in favor of it.

41
42 MR. LEE TITUS: Any more comments? Hearing none, all
43 in favor of adopting Proposal 60, signify by saying aye.

44
45 ALL MEMBERS: Aye.

46
47 MR. LEE TITUS: Opposed? (Pause) The Chair entertains
48 the motion to adopt Proposal 61.

49
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1 MR. MILLER: So moved.

2

3 MR. LEE TITUS: It's been moved.

4

5 MR. STARR: Second.

6

7 MR. LEE TITUS: It's been moved and seconded.

Discussion?

9

10 MR. MATHEWS: Mr. Chairman, Proposal 61 was submitted
by the prestigious council called the Eastern Interior Regional
Advisory Council.

13

14 MR. ROACH: Got a sense of humor.

15

16 MR. MATHEWS: It has to do with beaver hunting in
Unit 25. We have one comment which is from the Alaska
Department of Fish and Game. I'm not sure if they want me to
summarize or if they want me to cover it. This is Proposal 61
dealing with beaver in Unit 25.

21

22 MR. MORRISON: John Morrison, Fish and Game Department.
I'd like to emphasize that the written comments that we've
already submitted were largely based on information gained by
biologist Bob Stephenson out of Fairbanks who is responsible
for this area. And the local people he talked to were in
opposition to this proposal for the reasons stated. The
potential high loss of beaver due to sinking, especially in the
rivers; the high loss of beaver kits through starvation if
their parents are taken. Also at that time of the year, there
would be a low pelt value and then we would get minimal sealing
of beaver pelts when pelt value is low and the pelt is not
intended to be sold which it makes it difficult to determine
the level of harvest.

35

36 A limited spring hunting season with a reasonable bag
limit or a requirement that beavers harvested are to be counted
against the annual bag limit would be a more prudent and
responsible way to provide additional use of the resource
without creating large-scale waste, overharvest, or unaccounted
for harvest. A hunting season of April 1 to May 20 might be a
reasonable opportunity since it would provide seven to ten days
of hunting after break-up, on average, and pelts would still
have some fur value at this time. That summarizes our feelings
about it.

46

47 MR. MATHEWS: That's all the public comments that were
received.

49

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1 MR. GUENTHER: Mr. Chair?

2

3 MR. LEE TITUS: Yes.

4

5 MR. GUENTHER: This proposal, when I started doing an
6 analysis on it, looked like this would be a really easy one to
7 analyze. Actually, it was one of the most difficult proposals.
8 So, bear with me while I go through some of what we dealt with
9 on this. A similar proposal to this proposal was presented to
10 the Federal Subsistence Board 1993-94. The proposal at that
11 time was presented as a way of managing beaver to help
12 whitefish escapement on the streams. In other words, eliminate
13 beavers so you had less problem with beaver dams. At that
14 time, the board said that subsistence could not -- the Federal
15 Subsistence Board could not support the manipulation of habitat
16 for subsistence. In other words, looking at beaver as if they
17 were a predator on whitefish and interfering with whitefish
18 populations.

19

20 The board also stated when it rejected that proposal
21 that such a proposal might be supported if documentation was
22 provided to support the subsistence taking of beaver with
23 firearms for food and not for habitat manipulation. Now, we
24 looked at the biology of beaver in that area. There's really
25 not a biological problem for some additional harvest of beaver.
26 Also, currently under both State and Federal regulations,
27 Units 8, 18, 22, 21(E), and 23 have programs in which beaver
28 can be shot under a trapping license. They can be taken with a
29 firearm under a trapping license. In those areas where beaver
30 are allowed to be taken under a trapping -- or with a firearm
31 under a trapping license, they found that the increase in
32 beaver harvest was anything from zero to an increase of 5%, so
33 it's a relatively minor thing.

34

35 Now, as we looked into this further, we found that it's
36 definitely a legitimate subsistence use of beaver that has
37 occurred for, as far as we know, back to probably time
38 immemorial; that beaver were taken in the spring as food, and
39 they're still commonly taken in the summer and, particularly,
40 during moose season for camp meat. So we feel that additional
41 harvest of beaver is legitimate.

42

43 Another thing that we took into consideration is, if
44 somebody is taking beaver for camp meat, why should they have
45 have a trapping license. And they may not be interested in
46 trapping beaver. So, then we looked at some additional things
47 relative to this. We found that, first of all, the argument
48 that beaver pelts were of little value late in the spring and
49 during the summer really is not legitimate to this particular

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issue. We're talking about an issue of beaver being taken for food and so the pelt is not of significance. As far as loss of kits, that's something that definitely has to be considered. But under State regulation, and I believe it's five different units at this time, there is beaver season that extends to June 30th. We know as a fact that beaver kits start being born in May. And then also a beaver that's taken in April has kits; she just doesn't have -- they haven't been born yet. This is a concern, but we don't think that this is a great enough concern to say that beaver cannot be harvested in the spring for food.

11

12 Also, the problem with beavers sinking, this is actually quite simple at this point because we do not -- Federal Subsistence Regulations do not manage any wildlife in navigable waters in this area. And so beavers could not be taken in navigable waters, and the biggest problem, as we understand it from discussion with some local people that do harvest beaver with firearms during the summer, is that beaver that are shot in a river where there is current, that frequently they sink when they're first shot and then pop up a few minutes later. If there's current and the beaver washes down the river a ways before it pops up, then it may be very difficult to find that beaver. But since Federal Subsistence Regulations only deal with beavers on land, above mean high water line on navigable waters or in non-navigable waters, small streams or beaver ponds for the most part, that the loss of beavers due to sinking is probably not an issue here.

28

29 What we've recommended to resolve what we saw as a number of issues and problems in this is we've suggested that a season to shoot beaver with a firearm be established that starts the day after the trapping season closes and ends the day before the trapping season starts. So, beaver could be harvested year-round under this. And there was a recommendation made by one of the local people, I believe it was out of Fort Yukon, that there was not a need for really more than one beaver a day per person. And so to meet some of the concerns that had also been expressed that local beaver populations could be overharvested -- overall in the whole area, we're not concerned about overharvest for beaver that are shot for food. But some local areas that are easily accessible could be overharvested. To prevent that possibility and based on this discussion with this one individual, we felt that one beaver per day and a possession limit of one would meet local needs, provide an opportunity - and this would be done under a hunting season, not a trapping season so there would not be a requirement for a trapping license - and that it would provide all of the opportunity that's requested here. But it would be an amendment to the proposal as its written. The amendment as

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We've written it up is on page 46 under the preliminary conclusions and it's the last paragraph.

3

4 Also, we'd like to state that because there was a great concern that beaver would still be shot in order to eliminate beavers just because of the whitefish situation and this is not appropriate under Federal subsistence law as the board acts now, that we'd like to make sure that people are very conscious that this regulation would require the retrieval of the carcass because this would be the food part of the beaver. Retrieval of the pelt is not a concern under this proposal. If the person wanted the pelt, fine; if not, that's fine. The only issue that we really aren't approaching here is that currently beaver pelts have to be sealed and since a beaver pelt is not sealed, there would not be records of any summer harvest. We don't think this would be a significant problem because we think that probably the actual summer harvest under this proposed regulation would be minimal and would not be significant to the overall harvest. It would be a minor part of what would be harvested during trapping season. Unless you have some specific questions, I hope I haven't made this too complicated. I'd be glad to answer any questions you have.

(Pause)

24

25 Oh, one other comment, in the proposal -- in the conclusion that we had written up originally, this needs to be changed: it's the third line from the bottom on page 46. It states that the combined trapping and hunting season bag limit would be 50 beaver. Initially, we thought we'll just set the season, the total year-round limit, at the trapping limit. In further discussion after this was developed, we decided this was not realistic and, instead of doing that, we would go with just one beaver a day and a possession limit during that summer season of one beaver. That's all I have. Thank you.

35

36 MR. LEE TITUS: So a daily bag limit of one beaver and then delete all the rest after that?

38

39 MR. GUENTHER: You would delete "... a combined hunting and trapping season bag limit of 50 beaver."

41

42 MR. LEE TITUS: Okay.

43

44 MR. GUENTHER: So, what we're proposing is that there be a hunting season for beaver April 16th to October 31st with a daily bag limit of one beaver and a possession limit of one beaver.

48

49 MR. LEE TITUS: This would provide the opportunity to

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harvest beaver for food outside the existing trapping seasons while providing protection against local overharvest.

3

4 MR. GUENTHER: That's what we feel, yes.

5

6 MR. LEE TITUS: Okay. David?

7

8 MR. JAMES: Thank you, Mr. Chairman. I can shorten my remarks considerably because Conrad has covered most of what I wanted to say about the Federal proposal. But I would like to point out what the Refuge's point of view is on this. First of all, Proposal 61 is really two proposals because it was submitted to both the Federal Subsistence Board and to the State Board of Game. You need to keep that into perspective for the reasons that Conrad already stated; that is, the State has jurisdiction over the water where most of these critters would be taken anyway. And as we see it, although the proposals are written the same, if you look at their justification, they are somewhat different. The Federal proposal is simply an attempt to accommodate a traditional practice that has been going on for a long time.

22

23 If you look at the State proposal, it will do that also, but in addition the intent stated there is to increase the harvest of beaver so as to reduce the number of beaver to benefit fish because the beaver dam activity obstructs movements of fish.

28

29 MR. ROACH: Mr. Chairman? Quickly, do we have a proposal number for the State proposal?

31

32 MR. MATHEWS: Mr. Chairman, under No. 10, you have a copy of the proposal. Tab No. 10. It's proposal 153.

34

35 MR. ROACH: Thank you.

36

37 MR. JAMES: So, first of all, very abbreviated remarks, then, first on the Federal proposal. Essentially, the Refuge can agree with the suggestion that Conrad just made. Jumping ahead to the State proposal, however, the Refuge does have a problem with the stated intent. We don't think that it is appropriate to establish regulations that would reduce beaver, in this case, to hopefully increase the number of fish because we simply don't have the biological information that really shows that there is a problem to begin with. Most of the local people that I talked to said that they knew of specific localities where fish migrations, primarily whitefish, had been blocked. But when I questioned them further, they were all reluctant to generalize that over the region and say,

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therefore, there's a problem with all fish in the entire region. They were very reluctant to do that and they didn't feel comfortable with the notion of thinking that they were solving the problem by having that kind of a regulation.

5

6 So, in this case, the traditional knowledge, traditional experience actually jibes with the Western science point of view, so I guess we've accomplished something here today, haven't we? But at any rate, this was a subject that's very near and dear to the heart of your missing colleague, Steve Ginnis, and what I've already done on this, and I talked to Steve I think just the week before last, and that was that we are proposing to go out and do a site inspection, go out in the field with a fisheries biologist and with whomever they think is most appropriate to represent, you know, the subsistence interest. We'll go out and see if we can determine whether this really deserves further study; if so, what do we need to do, and to follow up on it and see what it is, what the concern is here that some of the people are really concerned about.

21

22 My last statement is that the Yukon Flats Fish and Game Advisory Committee reviewed this proposal for State and then for Federal, also. I have to say, they were, as a group, very sympathetic to the impact of beaver on whitefish, including Clifford Luke who is from Fort Yukon. He felt pretty strongly about this, to be honest about it. And they went ahead and passed a proposal that was slightly modified. They left no bag limit, just the way the existing proposal is, but they eliminated the June, July, and August season. And their concern was the effect on kits, the babies, you know, back at the igloo or wherever they live. So -- and they standardized. They made the recommendation for the Federal proposal the same as for the State.

35

36 MR. LEE TITUS: Whew.

37

38 MR. ROACH: Wow.

39

40 MR. JAMES: Sorry. That's what happened.

41

42 MR. LEE TITUS: Did you have a comment?

43

44 MR. ROACH: Mr. Chairman, I would like to suggest to Mr. Miller to read an April 16th-October 31 season with the daily bag limit of one beaver and a possession limit of one beaver would provide the opportunity to harvest for food outside the existing trapping season while providing protection against local overharvest. So I guess we want to make the

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regulation read April 16th to October 31; daily bag limit, one
beaver; possession limit, one beaver.

3
4 MR. LEE TITUS: You're making a motion to amend?

5
6 MR. ROACH: Yes.

7
8 MR. LEE TITUS: Motion on the floor to amend?

9
10 MR. MILLER: Second.

11
12 MR. LEE TITUS: It's been moved and seconded. Any more
discussion on the amendment? Yes?

13
14
15 MR. GUENTHER: Mr. Chair, just one brief additional
thing. If beaver are a problem with whitefish, there are
already regulations in place to deal with this. There are
regulations under both State laws and under the Refuge
regulations so that permits could be obtained to go in and take
out beaver in locations where they're detrimental to whitefish.
So, there are already regulations in place to deal with
nuisance beaver problems. That's all.

21
22
23
24 MR. LEE TITUS: Any more discussion on the amendment?
Hearing none, all in favor of the amendment, signify by saying
aye.

25
26
27
28 ALL MEMBERS: Aye.

29
30 MR. LEE TITUS: Opposed. Back to the main motion as
amended. Any more discussion? Hearing none, all in favor of
the main motion as amended, signify by saying aye.

31
32
33
34 ALL MEMBERS: Aye.

35
36 MR. LEE TITUS: Opposed? Okay. We're now into, what,
statewide?

37
38
39 MR. MATHEWS: No, Mr. Chairman, we're not yet. I just
want to advise you that there are other proposals that have
either no-determinations which mean all qualified rural Alaskan
residents qualify. There are other proposals that have
overlapping C&T for your area. I'm not encouraging you to look
at them; I'm just acknowledging that, for example, Proposal 48
and 49 deal with ptarmigan in Unit 22(B) and that affects
Regions 2, 7, 8, and 9 because of C&T. So, let me make sure
I've got all my notes correct. I just want you to know that
those are there. Also, Proposal 66 deals with Unit 26(C) sheep
which deals with a C&T issue that affects both Region 9 and 10.

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1 That doesn't mean you have to take them up; I'm just
 2 acknowledging that you have overlapping C&Ts. In essence,
 3 they're out of your region, but because of C&Ts they're in your
 4 region -- fall within your....

5
 6 MR. ROACH: Mr. Chairman?

7
 8 MR. LEE TITUS: Yes, Jeff?

9
 10 MR. ROACH: Do we have copies of these if we'd like to
 11 look at individual ones?

12
 13 MR. MATHEWS: Yes, you have copies in the blue proposal
 14 book, the light blue one that you were sent earlier.

15
 16 MR. ROACH: Okay.

17
 18 MR. MATHEWS: The one that you have that's addressed to
 19 you. We do have copies, singular copies of the proposal
 20 analysis and a biologist can probably touch upon it. But I'm
 21 not encouraging you to look at them. I'm just acknowledging --
 22 our philosophy is we don't want to tell you these are the only
 23 proposals you need to look at. I'm just acknowledging there's
 24 other ones.

25
 26 MR. LEE TITUS: You have any -- is there any more
 27 discussion on proposals?

28
 29 MR. MATHEWS: Okay. Then the proposal that's before
 30 you is a State proposal that you submitted. So someone needs
 31 probably to bring that up.

32
 33 MR. ROACH: Mr. Chairman?

34
 35 MR. LEE TITUS: Yes.

36
 37 MR. ROACH: I would like to change our State proposal
 38 to read exactly the same as the Federal proposal.

39
 40 MR. LEE TITUS: The one in Tab....

41
 42 MR. CHARLIE TITUS, JR.: Sixty-one?

43
 44 MR. ROACH: Right, Proposal No. 61.

45
 46 MR. MATHEWS: Correct. And then the Council, you have
 47 a copy of the State Proposal 153 in your book under Tab 10. If
 48 understand, the motion is to substitute that with the
 49 language that's in -- the language in the amended Proposal 61.
 50

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1Correct?

2

3 MR. ROACH: Yes.

4

5 MR. MATHEWS: Okay.

6

7 MR. LEE TITUS: So moved -- I mean....

8

9 MR. ROACH: I made the motion.

10

11 MR. LEE TITUS: It's been moved to change State's
~~12~~ Proposal to read the Federal proposal was amended, right?

13

14 MR. ROACH: Yes.

15

16 MR. LEE TITUS: Okay.

17

18 MR. MILLER: Second.

19

20 MR. LEE TITUS: It's been moved and seconded.

~~21~~ Discussion?

22

23 MR. ROACH: I would just like to hear if there's any
~~24~~ discussion from....

25

26 MR. GUENTHER: No.

27

28 MR. SHERROD: No information that we didn't provide you
~~29~~ with before.

30

31 MR. GUENTHER: Basically, we gave you everything that
~~32~~ we have.

33

34 MR. LEE TITUS: Okay. Hearing no more discussion, all
~~35~~ in favor of the motion, signify by saying aye.

36

37 ALL MEMBERS: Aye.

38

39 MR. LEE TITUS: Opposed. Any more?

40

41 MR. MATHEWS: No, that's it for the proposals, but on
~~42~~ the agenda you still have a few items to pick up.

43

44 MR. ROACH: Mr. Chairman?

45

46 MR. LEE TITUS: Yes.

47

48 MR. ROACH: I would like to at this time make a motion
~~49~~ that we recommend Option C for the C&T determination for the

50

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five Upper Tanana communities.

2

3 MR. LEE TITUS: Option C?

4

5 MR. ROACH: And I will -- after I receive a second on
6 that, I will give a description, the reasons why I recommend
7 that.

8

9 MR. MILLER: Second.

10

11 MR. LEE TITUS: It's been moved and seconded.
12 Discussion.

13

14 MR. ROACH: Mr. Chairman?

15

16 MR. LEE TITUS: Yes?

17

18 MR. ROACH: I would like to present Option C because
19 Option C gives us a broad C&T determination on the whole area
20 and that allows us to still have the ability to use the seasons
21 and bag limits and the Cooperative Management Plans as tools if
22 we recommend this broad C&T determination. Also, most of the
23 input that we've gotten from village councils has led me to
24 believe that Option C is the best for the whole area,
25 remembering that the village councils will have the ability to
26 either approve or disapprove any option which we present,
27 regionally, based on the recommendation this Council passed
28 yesterday which stated that we would recommend to Federal
29 Subsistence Board that one of the options or some option would
30 be presented to the Federal Subsistence Board and that the
31 village councils would have the opportunity to approve or
32 disapprove those options.

33

34 MR. LEE TITUS: Any more discussion?

35

36 MR. MATHEWS: Has that been seconded? I don't want
37 to....

38

39 MR. LEE TITUS: Yes.

40

41 MR. MATHEWS: Okay. Did everyone understand what Jeff
42 was saying, because we need a clarification on that vote that
43 you took yesterday. And he clarified it there. Does everyone
44 understand that?

45 MR. LEE TITUS: Right. Do you have comments?

46

47 MR. MATHEWS: Thank you.

48

49 MR. RABINOWITCH: I'm Sandy Rabinowitch with the staff

50

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committee to the Federal Board for the Park Service. I'd like to ask one question to clarify what you were just proposing. If I understood it right, you would leave in place the motion you passed yesterday and then you're now proposing to add to that an adoption of C?

6

7 MR. ROACH: No.

8

9 MR. RABINOWITCH: No? Okay.

10

11 MR. ROACH: My motion was to adopt C.

12

13 MR. RABINOWITCH: Okay.

14

15 MR. ROACH: In the discussion I brought out that the recommendation that was passed yesterday would still allow the village councils to approve or disapprove that option, individually.

19

20 MR. RABINOWITCH: All right. If I may ask -- thank you for that. If I may, let me ask one more question. I would speculate that all of -- it might take longer than between now and April 10th for all of the villages to consider Option C, and where I'm going with that speculation is that I think it would be helpful to the board to know whether or not you wanted them to take any action at that April 10th meeting or if you would rather they wait until you've gone around to all the villages and been able to get input. That's what I came up here originally to try to clarify. Is my question clear?

30

31 MR. ROACH: Yes, it is.

32

33 MR. RABINOWITCH: Okay.

34

35 MR. ROACH: And, Mr. Chairman, I see no reason for the Federal Subsistence Board to wait past their April meeting to make a proposal for the regulation, but that the councils would then have to be contacted during the public comment period before the proposed rule is accepted as a regulation.

40

41 MR. RABINOWITCH: I understand that and I actually look at Vince and anyone else in the room who could help. The question in my mind is, Is it possible to make all of that happen in the way you just said it? I'm simply not sure.

45

46

47 MR. ROACH: Okay.

48

49 MR. RABINOWITCH: But my goal is to make sure that the

50

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input you want is gotten, that there's time for it, and that the board not take an action that you would all consider to be premature.

4

5 MR. LEE TITUS: Jeff?

6

7 MR. ROACH: I see this as a regional option for the Upper Tanana area and I believe that the Park Service has contact with the village councils and could, based on our recommendation, could go to the village councils and seek their approval or disapproval for this option.

12

13 MR. RABINOWITCH: Janis is just whispering to me that she feels we can -- administratively, we can make those contacts in that time period. Now, what then remains is whether the communities would be able to come to some consensus and respond within that time period. And, obviously, I don't know and I don't know if anyone here would dare to speculate or not.

20

21 MR. ROACH: It's just my feeling that if they don't feel that that's enough time, then the Federal Subsistence Board can, in their regulation, can state that, that the village has not made a decision or has made the decision one way or the other.

26

27 MR. LEE TITUS: Any more discussion on the motion? Hearing none, all in favor of the motion, signify by saying aye.

30

31 ALL MEMBERS: Aye.

32

33 MR. LEE TITUS: Opposed? (Pause)

34

35 MR. MATHEWS: Okay. Mr. Chairman, maybe the train passed me up on this one, but I just want to make sure that I've gone back and read the transcript when you did your action yesterday, and is it the intent of the action that was No. 4 of the Seward Peninsula one, was that the regional councils will recommend C&T uses agreed upon during subregional meetings to the Federal Subsistence Board subject to approval by tribal governments. That that meant that the tribal governments would have opportunity to adopt or reject those and not that the council cannot make a recommendation until the tribal governments approve? I don't want to muddy up the water, but when I read the record over, it's not clear to me.

47

48 MR. LEE TITUS: Yeah.

49

50

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1 MR. ROACH: Just -- it was my understanding that the
 way I clarified it was the way that it was presented yesterday,
 was that we would make a recommendation and the councils would
 have the ability to either approve or disapprove that, was my
 understanding of the motion.

6
 7 MR. LEE TITUS: Right.

8
 9 MR. MATHEWS: Okay. So it's an opportunity and not a
 criteria?

11
 12 MR. LEE TITUS: Yeah.

13
 14 MR. MATHEWS: Okay. Thank you. Mr. Chairman, what's
 left on the agenda is residency requirement discussion and I
 believe that's it, without looking at the agenda, besides next
 meeting location.

18
 19 MR. LEE TITUS: Did you have a....

20
 21 MS. MELDRUM: I just wanted to ask if there's anything
 specific that the Council would like the Federal agencies or
 the Park Service to do or offers extended or materials
 prepared, so the villages can come up with their own proposals
 by next fall? Is there something specific that you would like
 us to do to help with that?

27
 28 MR. LEE TITUS: You've got to start all over again.

29
 30 MS. MELDRUM: What color do you want the book this
 time? If you don't have any specific ideas today,....

32
 33 MR. LEE TITUS: Um-hum.

34
 35 MS. MELDRUM:if some of you could help me figure
 out what we should do next. When we've offered by mail through
 a letter to come visit with people, we haven't gotten a
 response. So, we might need some help from you, if that's
 needed, to help set things up or tell us what you need so....

40
 41 MR. LEE TITUS: Yeah. I think I'll probably get in
 contact with you because we're planning on having some kind of
 meeting with all the local village councils. We did last
 Friday, we had a meeting with all the local village councils
 within this area and we're planning another one for, when was
 it, June?

47
 48 MR. MILLER: June, yeah.

49
 50

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1 MR. LEE TITUS: June sometime. And whenever that comes
2 about maybe we'll invite you and then maybe we can all discuss
3 this as tribal council members and come up with some kind of a
4 direction and ideas and stuff like that. But I think this last
5 motion we passed was just something to get going, get going
6 on....

7
8 MS. MELDRUM: Okay. Thanks.
9

10 MR. LEE TITUS:as a direction. I'd like to thank
11 you for the good job that you've done and all the hard work
12 you've put in for the last year or so, putting together all
13 this stuff for us. And I'd like to thank you for that.

14
15 MS. MELDRUM: Thanks.
16

17 MR. CHARLIE TITUS, JR.: Mr. Chairman?

18
19 MR. LEE TITUS: Yes.
20

21 MR. CHARLIE TITUS, JR.: Are we back into....
22

23 MR. LEE TITUS: We're on New Business on Option -- I
24 mean, C, Comments on Residency Requirements. Is that talking
25 about....
26

27 MR. MATHEWS: It's talking about the requirement of
28 what is the definition of residency and that. I can go -- it's
29 under Tab 9 and I can lead you into it and give you a couple of
30 options and you can decide what to do. (Pause) Okay. The
31 problem is that the definition of resident in Federal
32 Subsistence Management Regulations has resulted in serious
33 questions regarding eligibility for some individuals desiring
34 to qualify for subsistence. The definition of resident is
35 somewhat general. It does not specify a length of residency in
36 a location. This creates a situation where someone can claim
37 residency in a community even if they maintain a household in
38 another part of the state or even out of state.
39

40 So that explains the problem. The definition of
41 a resident is listed on the bottom of page 1 under Tab 9 and it's
42 any person who has his/her primary permanent residence within
43 Alaska and whenever absent from his primary permanent home, has
44 attention of returning to it. And then it lists a series of
45 factors that determine that. It's also important to point out
46 Federal regulations under licenses and permits and harvest
47 tags and reports, it just requires that they possess a
48 pertinent valid State hunting license, hunting, fishing and
49 trapping license, unless Federal licenses are required.
50

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1
2 And in summary of that part before I get into the
3 options is that the board believes it was not the intent of
4 Congress to provide an immediate subsistence priority for newly
5 settled persons who have no or minimal history of customary and
6 traditional use of subsistence resources. Before I get into
7 options, there's two letters, one from the Joint Board of
8 Fisheries and Game, asking the Federal Subsistence Board to
9 address this issue and there's also a letter from the Bureau of
10 Land Management to the Federal Subsistence Board that addresses
11 this issue.

12
13 The options that are available -- these are just some
14 options. There are other options you can come up with. Option
15 A is to not revise the Federal Subsistence Regulations.
16 Individuals become Federally qualified immediately upon
17 establishing a primary residence in a rural community or area.
18 This may be with less than one year of residency within
19 Alaska. Option B is to make regulatory changes to clarify the
20 board's initial intent as suggested below. And amendment would
21 be -- I mean, the option, excuse me, would be for subsistence
22 hunting on Federal lands a State resident hunting license is
23 required. For subsistence trapping on Federal lands, a State
24 resident trapping license is required. For subsistence fishing
25 on Federally-administered lands, no license is required. The
26 term "residence" will refer to individuals who have lived in
27 a location long enough to establish and maintain a residency at
28 that location. And I'm pretty sure the State will verify this,
29 that is 12 months with 9 months in a location, or maybe it's
30 just 12 months; I'm not sure on that. And then Option C is to
31 revise the regulations to eliminate the need for any license
32 for harvesting subsistence resources on Federal land, and that
33 could result in widespread abuse by non-qualified individuals
34 competing with rural residents for limited resources. So, et
35 cetera.

36
37 So those are three potential options. There's -- I'm
38 going over this fairly quickly, but there's a paragraph about
39 the importance of having a license, and other materials in
40 those two letters that are attached. Essentially, I believe
41 this is from the board asking for input on this residency
42 requirement. Well, BLM is at the table. I know that they may
43 have some additional comments that I overlooked.

44
45 MR. LEE TITUS: Do you have a comment?

46
47 MR. YOKEL: I just moved up here because this chair is
48 added and the one I've been sitting on is not. I'm being
49 facetious, Mr. Chair. The BLM did initiate this with a letter
50

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to the Chairman of the Federal Subsistence Board, but the BLM wanted to make it clear that we were not taking a position but that we wanted the regional advisory councils to look at this issue. The reason it was initiated is because the BLM has several lands that are on the roaded system in the state and have had some problems in the past with individuals moving into the state and immediately claiming residency by parking a trailer in a campground or something like that and wanting to hunt under Federal regulations. But -- so that's why it was initiated.

11

12 One other point. I don't know what all the regional advisory councils have said on this, but the Western Interior Council did vote on this last week in Huslia. They voted to support Option B with one minor amendment; that they inserted word "rural" in front of the word "location" in that last sentence before Option C on page 3 of the briefing documents. So the term residents will refer to individuals who have lived in a rural location long enough to establish and maintain residency at that location: 9 months at a location and 12 months within the state.

22

23 MR. ROACH: Mr. Chairman?

24

25 MR. LEE TITUS: Yes, Jeff.

26

27 MR. ROACH: This is a very interesting issue and it's probably one -- well, I think it's one that needs to be acted on, but I don't think we need to act on it now. I mean, this has just been presented to us. I haven't had a chance to talk to anybody concerning what their feelings are. I don't know what any of you have had an option -- opportunity to talk to the people in your areas. Option B does look like it has some merit to it. But I also, over lunchtime, heard an other option would be to come up with a lifetime Federal license to hunt on subsistence resources with a picture I.D. that you would have forever. So there are a lot of options out there, I think, but we really need time to digest this one and talk to people about it and see what they have to say. So at this time I move that we do not act on this until it can be presented at the next meeting.

42

43 MR. MATHEWS: Mr. Chairman, I'll try to get the attention of the staff committee member because I'm not sure when this comes up before the board or if it comes up before the board. I have not seen the draft agenda, so maybe Sandy can shed some light on this.

48

49 MR. RABINOWITCH: Give me a moment. Maybe I can find

50

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the draft of the staff committee meeting.

2

3 MR. MATHEWS: Okay. The reason I'm bringing that up is
4 if the board is going to take this up and may take some action
5 on this in April, you're out of the water. Now, I'm not sure
6 that's the case, so I'm....

7

8 MR. ROACH: Mr. Chairman, we can also request to the
9 board that they delay until we do take action.

10

11 MR. MATHEWS: That's an option.

12

13

14 MR. RABINOWITCH: Well, I can muddy the water a little
15 bit, too. I wish I wasn't. The piece of paper I have in front
16 of me was -- let me see when it's dated. February 22nd, and
17 it's from Sue Detwiler at Fish and Wildlife Service and it's a
18 draft agenda for the staff committee. It does say Item No. 4
19 Residency Issue. It says, "Develop recommendation to the board
20 on the three issues brought up in the State's and BLM letter to
21 the board." And then it lists what those three issues are.
22 Now, the other thing that I did, actually a week ago at the
23 Seward Peninsula Council meeting, I actually asked Bill Knauer
24 of Fish and Wildlife Service if this issue was going to come up
25 at the staff committee and then for the board and his answer
26 was a resounding "no." So, I'm frankly uncertain now whether
27 it will or will not come up at the April board meeting. I,
28 personally, would be a little happier if it did not only
29 because within the Park Service I've not flagged this as
30 something that I had expected to come up and, you know, to try
31 to come to agency view on. So, I have a little internal
32 difficulty if they do. That's my problem, not yours, but....

33

34

35 MR. MATHEWS: I may clear the water up a little bit.
36 When he said that the staff committee would come up with
37 proposal to the board, maybe he can correct me and others can,
38 wouldn't this have to go out for Federal Register notice under
39 Proposed Rule?

40

41 MR. RABINOWITCH: I believe that's correct. I'll take
42 the help we can get on that.

43

44 MR. MATHEWS: So there would be a timing factor there,
45 but the question is, Would it still be convenient for you to
46 meet in the fall? So we have a bit of a communication problem
47 here. I'm going to just phrase it that way.

48

49 MR. RABINOWITCH: Yeah, it was -- and I apologize if

50

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I'm saying something that was already put into the record. But when this was originally brought up by BLM at the staff committee, and, Vince, you may have been there, you can help me out, my recollection was that the staff committee member from BLM passed out their letter, spoke to it and said that this was kind of a beginning, it wasn't something that was going to be acted on in the near future and so on and so forth. So I've always been under the impression that there was a fair bit of time to deal with this. And thus I was surprised to see it in this agenda that I just picked up just as I was leaving Anchorage to come here.

12

13 MR. LEE TITUS: So I guess the appropriate action would be to....

15

16 MR. ROACH: Do I need to make a motion to table this item until the fall meeting with the request that the Federal Subsistence Board does not act on it until we have a chance to discuss it then?

20

21 MR. MATHEWS: Yeah, I would -- that would be an appropriate motion and that....

23

24 MR. ROACH: That's my motion.

25

26 MR. MATHEWS:that would be clear to the board.

27

28 MR. LEE TITUS: With an okay of the maker of the first motion?

30

31 MR. ROACH: That was me.

32

33 MR. LEE TITUS: Oh, was it? I thought we were....

34

35 MR. MATHEWS: Yeah, Jeff brought it up earlier. I don't know if it's been seconded.

37

38 MR. LEE TITUS: Oh.

39

40 MR. MATHEWS: We're all getting tired.

41

42 MR. LEE TITUS: That's right.

43

44 MR. MATHEWS: Has that motion been seconded? And, if it has, then we can go further.

46

47 MR. LEE TITUS: Did we have a second?

48

49 MR. STARR: I'll second it.

50

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1
2 MR. LEE TITUS: It's been moved and seconded. Any more
discussion?
4
5 MR. CHARLIE TITUS, JR.: Call for the question.
6
7 MR. LEE TITUS: The question's been called. All in
favor, say aye.
9
10 ALL MEMBERS: Aye.
11
12 MR. LEE TITUS: Opposed?
13
14 MR. MATHEWS: Okay. Mr. Chairman, unless I've
forgotten something, we have covered the world. No, I'm not
being facetious. This has been an awful long meeting. This
has been a very packed agenda, and I think all hats should go
off to the Council. This has been a tremendous agenda. And
all that's left that I know of is the time and meeting place of
the next meeting and any additional topics.
21
22 ALL MEMBERS: Hawaii!
23
24 MR. MATHEWS: Oh, Hawaii?
25
26 MR. LEE TITUS: Yes.
27
28 MR. MATHEWS: Oh, Mr. Chairman, maybe we could persuade
the staff committee person to waive the regulation that you
meet within your region. No, you're bound to stay within your
region.
32
33 MR. ROACH: Speaking of -- Mr. Chair?
34
35 MR. LEE TITUS: Yes?
36
37 MR. ROACH: Speaking of timing, we need to know when
the comment period for the proposal....
39
40 MR. MATHEWS: Yeah, you need to know....
41
42 MR. ROACH: When we can have the meeting.
43
44 MR. MATHEWS: Right. That's under Tab 1. There's a
little calendar there. It's after the agenda and I'm going to
put in a strong plea to you that we try to shoot for dates that
are like a Tuesday, Wednesday or Tuesday, Wednesday, Thursday,
something like that. Travel on Saturdays is extremely
difficult on plane flights and et cetera. So, if you could
50

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avoid requiring travel on Saturday, it would be a cost savings to all. I understand that there's employment concerns there, too, but if that would be possible.

4
5 MR. LEE TITUS: You don't want to work overtime?

6
7 MR. MATHEWS: We don't get overtime.
8 MR. ROACH: Mr. Chairman?

9
10 MR. LEE TITUS: Yes.

11
12 MR. ROACH: I have been glad that we've had these meetings in these rural areas when we discuss the C&T issues and I know that we will continue to do so. We've had the last two meetings down in the Tok and Northway area here and that has, I think, precluded people who live in the northern part of our region the opportunity to easily access the meeting. After talking with some of the Council members, I understand that the villages all fly into Fairbanks, the airlines all fly into Fairbanks regularly and that we would probably get more input from the whole region if we met there for the next meeting, giving them a fair opportunity to do that, to come into Fairbanks to meet.

24
25 MR. LEE TITUS: Is that a motion?

26
27 MR. ROACH: Do we need a motion to select our place?
28

29 MR. MATHEWS: No, I just need to know where you guys would like to meet and you can let me set the dates.

31
32 MR. LEE TITUS: I don't have no problem with Fairbanks at this time since we're mostly done with -- we just kind of like talked this area off the map.

35
36 MR. MATHEWS: Well, Mr. Chairman, so I'm taking that the Council agrees to meet in Fairbanks, then, instead of farther north in the region or further west or....

39
40 MR. LEE TITUS: As far as I'm -- I'm pretty happy with Fairbanks, I guess. It's more of a geographically centered area and every....

43
44 MR. MILLER: Well, there's something else, though, like the other areas do come up for C&T, I suggest that we....

46
47 MR. LEE TITUS: Yeah, there's going to be areas....

48
49 MR. MILLER:move our meetings....
50

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1
2 MR. LEE TITUS:in our region that's going to come
up for C&T and when that does, we can kind of like go out
there.
5
6 MR. MATHEWS: Okay, well, that -- I'll take it that
Fairbanks is the location. When you brought up C&T, before you
set a date, would you like to have a separate meeting to deal
with C&T instead of enveloping it in with all these other
materials just to....
11
12 MR. LEE TITUS: I think that one of the -- let me see
how.
14
15 MR. MATHEWS: I'm not saying you're going to get it;
I'm asking you if you would like it.
17
18 MR. LEE TITUS: Right, right. But we're meeting in
Fairbanks for sure and I'll leave it up to you to set a date,
infinite date.
21
22 MR. MATHEWS: Sure, but I'm asking you if C&T for Upper
Tanana is back again, or any C&T for your region is back, would
you like to have that as a separate meeting? And I'm not
saying it will happen, I'm saying that....
26
27 MR. LEE TITUS: It doesn't have to be a meeting with --
a regional council. It could be a staff meeting with the local
communities.
30
31 MR. MATHEWS: Okay. That falls under your option of
a regional meetings. What I'm asking is, if there's a C&T,
let's say in the Yukon Flats area, would you like to have a
council meeting that just deals with C&T and nothing else and
have it at that? And then I have a further question on that.
36
37 MR. ROACH: Mr. Chair?
38
39 MR. LEE TITUS: Yes.
40
41 MR. ROACH: I think that that could be brought up later
to us, asked later at a later time if we would like a special
meeting at that time.
44
45 MR. LEE TITUS: Okay.
46
47 MR. MATHEWS: Okay. And also I recommend that if you
have a C&T before you, that you attempt to meet in that region
and make every effort to communicate. We do have a cumbersome
50

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process of teleconference, but that option is available. Okay.
 So, if I understand, it's Fairbanks, I set the date, and we
 just go from there.

4

5 MR. LEE TITUS: Closing remarks. Well, I don't know,
 I'll start off first, I guess. This here might be my last, I
 don't know, but this here just might be my last time I'll be
 sitting up here as a chairperson since my term is now up on
 this regional council. And I sent in my application to get
 back on here, but I don't know how it's going to do. But just
 in case I don't make it, I'd just like to say that I really had
 a fun time and a lot of stuff was -- especially when I meet
 with other regional chairs in Anchorage. There was a lot of
 brainstorming, and we started from nowhere and then it seems
 like we just kind of like started building up speed. And when
 I first applied for this position, I really didn't know what I
 was getting into, especially when we had our first meeting in
 Fairbanks. It was really kind of scary and you didn't really
 know what was going on. But as things went down and started
 moving along, it got more clearer to me about how the Federal
 processes work and how the State system is. And I think this
 regional council was a really good idea, where it gives local
 communities the opportunity to share their views and their
 concerns. And I think it's just a really good council. And
 with that, I'd just like to thank you all.

26

27 MR. ROACH: I would like to thank Lee for taking the
 chair.

29

audience applause)

31

32 MR. MATHEWS: Mr. Chairman, since you are still Chair,
 and you -- I failed to mention to you that there is funding
 available to have a representative or the Chair attend the
 Board of Game meeting to testify on your Proposal 123. So, if
 you'd like a trip to Fairbanks when they meet, that option's
 available.

38

39 MR. LEE TITUS: That's in April, too?

40

41 MR. MATHEWS: No. No, that's March. I don't know.
 Oh, do you remember? It's in March.

43

44 MR. LEE TITUS: Oh, okay.

45

46 MR. MATHEWS: And I can....

47

48 MR. LEE TITUS: I'll probably be in town anyway that
 same time. I'm not sure, though.

50

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1
2 MR. MATHEWS: You'll be where?
3
4 MR. LEE TITUS: I'll probably be in Fairbanks at that
5 same time.
6
7 MR. MATHEWS: Oh. Well, we'll be in conversation. I
8 just wanted the Council to know that funding is provided.
9
10 MR. LEE TITUS: Oh, okay. Okay. Any -- the Council
11 members have any closing comments?
12
13 MR. STARR: Yeah, I think I got more out of this
14 meeting because we had the villages, had their input. Because
15 that first meeting, there was nobody there. I'm really glad
16 that we had a lot more people that came up and talked about
17 their C&T. I think that is really good and that makes me feel
18 better for sitting on this board. When I heard the village
19 people talking about their lifestyle and how they live and
20 everything, and off the country and living off the country, it
21 really made me feel better this time.
22
23 MR. LEE TITUS: Any more closing comments.
24
25 MR. MAYO: Mr. Chairman?
26
27 MR. LEE TITUS: Go ahead, Randy.
28
29 MR. MAYO: I'd just like to say thank you to the
30 Northway people and to the Elders and youth for talking to us,
31 and to the people for putting us up.
32
33 MR. LEE TITUS: Thank you, Randy.
34
35 MS. PETRUSKA: I'd like to say thank you to the people
36 of Northway for putting up with me. And the part I enjoyed
37 about this meeting was hearing from those Elders and those
38 young people. That was really something.
39
40 MR. LEE TITUS: Thank you, Selina.
41
42 MR. CHARLIE TITUS, JR.: I would also like to say thank
43 you for the hospitality, and it was very educational for me. I
44 know I'm always outspoken when I get to the meetings. I don't
45 mean to make it last, but that's the way I learn things. You
46 know, we wouldn't learn anything if we didn't ask questions.
47 I'm really happy to serve on this. I don't know if I'll be
48 here next time. I haven't -- I have some doubts. I don't know
49 if I'll be serving the entire tenure, but I'll let you know.
50

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But I have really -- really have a problem with my job. So,
thank you again.

3

4 MR. LEE TITUS: All right. Thanks, Charlie. Do you
have anything? Anybody else? Vince?

6

7 MR. MATHEWS: Yes, Mr. Chairman. I'd like to thank the
community. I was overwhelmed with the youth coming up. I
think this Council, and all councils, need to start looking at
programs to incorporate the youth as well as the Elders. I'd
also like to thank the Council for allowing me to assist you.
I don't know where I'm going after this. But if I don't end up
being your regional coordinator, I will always remember your
concerns and comments, and will strive to make your meetings if
I end up in a different position. So thank you for all that
and thank you for being available. It made it very easy to
contact you and to get a hold of you. Your response was
great. That's very beneficial to the staff and I hope you
continue that and expand into contacting your other team
members, your biologist and anthropologist, if you have
questions. And, remember the 800 number and use it as much as
you can. Thank you.

23

24 MR. LEE TITUS: Yeah, every time I call down that way,
there's always somebody acting is always answering the phone.
Any more comments from anybody before we close the meeting?
Before we close the meeting, I'd just like to ask our Elder,
John Starr, just to say the closing prayer.

29

30 closing prayer)

31

32 (Off record; 6:30 p.m.)

33

34 *****
35 MEETING ADJOURNED
36 *****

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6
7 I, Elizabeth D'Amour, Notary Public in and for the
8 State of Alaska and Reporter for R & R Court Reporters, Inc.,
9 do hereby certify:

10
11 THAT the foregoing pages numbered through
12 contain a full, true, and correct Transcript of the Eastern
13 Interior Regional Subsistence Advisory Council meeting taken
14 electronically by me on the 3rd day of March, 1995, beginning
15 at the hour of 9:00 o'clock a.m. at the Community Center,
16 Northway, Alaska;

17
18 THAT the transcript is a true and correct transcript
19 requested to be transcribed and thereafter transcribed by me to
20 the best of my knowledge and ability;

21
22 THAT I am not an employee, attorney, or party
23 interested in any way in this action.

24
25 DATED at Fairbanks, Alaska, this 10th day of March,
26 1995.

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